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A

TREATISE

ON THE

POLICE OF THE METROPOLIS,

EXPLAINING THE

VARIOUS CRIMES AND MISDEMEANORS

WHICH

AT PRESENT ARE FELT AS A PRESSURE UPON THE COMMUNITY;

AND

SUGGESTING REMEDIES

FOR THEIR

PREVENTION.

BY A MAGISTRATE.

Meminerint legum conditores, illas ad proximum hunc finem accommodare; Scelera videlicet arcenda, refrænandaque vitia ac morum pravitatem.

Judices pariter leges illas cum vigore, æquitate, integritate, publicæque utilitatis amore curent exequi; ut juſtitia et virtus omnes ſocietatis ordines pervadant. Induſtriaque ſimul et Temperantia inertiæ locum aſſumant et prodigalitatis.

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M DCC XCVI.

TO THE

READER.

THE Police of the metropolis is a ſubject of great importance to be known and underſtood, ſince every member of the community has a particular intereſt in the correct adminiſtration of whatever relates to the protection of the public againſt depredation and fraud—and to the prevention of crimes.

It is a ſpecies of knowledge which cannot fail to preſs itſelf upon the attention, ſince the preſent inſecurity with regard to *property*, and in ſome inſtances with reſpect to *life* itſelf, is too obvious to require elucidation.

With an immediate view to this particular object, the Author has ſubmitted to the conſideration of the Reader a variety of *evils* of great magnitude, with other ſpecific details, which are not to be found in books, and which, of

 courſe,

courſe, have never been laid before the public through the medium of the Preſs.

It may therefore naturally be expected, that ſuch an accumulation of delinquency, ſyſtematically detailed, and placed in ſo prominent a point of view, muſt excite in minds, to which ſuch ſubjects are not familiar, both *wonder* and *aſtoniſhment!*

It is earneſtly to be wiſhed that it may alſo excite in the public mind an ardent deſire to preſs for the adoption of ſuch remedies as ſhall apply to all the objects of danger and inſecurity, which at preſent exiſt, and which unqueſtionably muſt be greatly augmented at the concluſion of the war, when much additional ſtrength will be given to the phalanx of criminal delinquents now upon the town, by the return of a multitude of their aſſociates in iniquity.

The intention of this Treatiſe (among other things) is to point out the means of preventing theſe accumulated wrongs, by ſhielding the inhabitants of the metropolis againſt the alarming conſequences to be dreaded from the exiſtence of ſuch an atrocious and criminal confederacy.

That this may be the more eaſily effected, the Author, in all inſtances where *evils* are repreſented to exiſt, has uniformly ſuggeſted and propoſed *remedies*.

They

They are ſuch as have preſſed themſelves upon the mind, more from practical obſervation, than by indulging in ſpeculative theories.

It is hoped alſo, that theſe *remedies* will be found, on examination, perfectly to accord with the ſpirit of the laws: and that their adoption will be practicable without diſturbing, in any reſpect, the ſyſtem of criminal juriſprudence which at preſent exiſts.

The object is to extend to that ſyſtem a greater degree of *energy* and *effect*, by eſtabliſhing *regulations* and *reſtraints*, rendered the more neceſſary, from the great magnitude and extent of the enormities which are committed.

It is by the operation of ſuch *reſtraints*, that the poſſeſſion of all things valuable in ſociety is ſecured.

It is by the general influence of good laws and *regulations*, that the bleſſings of true liberty and the undiſturbed enjoyment of property is preſerved, as far as legiſlative authority can prove a ſecurity againſt iniquity and depredation.

The reſtraints however, which are propoſed in this Work, as the means of preventing crimes, are ſuch as will apply to thoſe claſſes of ſociety only, the nature of whoſe dealings,

dealings, from being in many inſtances both unlawful and immoral, occaſions a preſſure upon the community.

If this preſſure, joined to a more extenſive information relative to the *evils* and the *remedies*, ſhall operate as a ſpur to men of property and conſequence, to employ means for improving the police of the metropolis at this particular juncture, when the ſubject is to be conſidered by the Legiſlature—the object of the Author will be attained. —The morals of the lower ranks of the people will experience a favourable change, and that ſpecies of ſecurity will be extended to the inhabitants of the metropolis which has not heretofore been experienced.

ADVERTISEMENT.

ADVERTISEMENT.

OCCUPIED in a laborious public duty, which admits of little relaxation, the following ſheets have been written at intervals within the compaſs of about three months, under circumſtances where the Author has been ſubject to many unavoidable interruptions, while the preſſure of the moment urged him to proceed.

He therefore earneſtly ſolicits the indulgence of the public, under an impreſſion, that a Work uſhered into the world under ſo many diſadvantages, muſt, in ſome reſpects, be imperfect.

Wherever ſuch imperfections ſhall be kindly and candidly pointed out, the Author will feel great ſatisfaction in correcting them, in caſe the ſubject of this Volume ſhall be thought of ſufficient importance to paſs into another edition.

From the nature of a Work of this kind, where the analogy is ſo obvious in moſt of the ſubdiviſions which have been adopted, a repetition of ſome of the ſame ſentiments and arguments

arguments has been unavoidable in ſeveral of the Chapters, but while they tend to explain and illuſtrate the various ſhades of an important diſcuſſion, placed in different points of view, it is hoped they will neither prove tedious nor unintereſting.

In contemplating a ſubject ſo ſtrongly marked with the depravity of the human character, and where every ſtep in the progreſs may be ſaid to be ſtained with crimes, *it will be neceſſary to caution the Reader againſt any bias that is unfavorable, ſince it is to be hoped, that (comparatively ſpeaking) it is only a ſmall part of the human race whoſe miſchievous conduct has thus rendered them objects of animadverſion.*

Let it alſo be recollected that their errors and crimes are only expoſed for the purpoſe of producing amendment *and renovation; and that while they are unqueſtionably more the objects of commiſeration than* ſeverity *and* reſentment, *the view of the Author in the whole of this Work, is, to ſuggeſt means for the prevention of crimes, that puniſhments may very ſeldom be rendered neceſſary.*

LONDON,
FEBRUARY 15, 1796.

CONTENTS.

CONTENTS.

INTRODUCTION.

Containing a general view of the evils ariſing from the imperfections of the criminal code 5

CHAP. I.

Some of the prominent cauſes of the increaſe of crimes explained.—An eſtimate of the depredations on public and private property, committed in the metropolis and its vicinity, ſuppoſed to amount to two millions ſterling in the courſe of a year – – – 37

CHAP. II.

The cauſes and progreſs of ſmall thefts explained—*and ſhewn to ariſe from the vaſt number of* receivers *in the metropolis—their great increaſe of late years, and evil tendency —a remedy ſuggeſted* – – 49

CHAP. III.

The pillage and plunder of merchandize and naval ſtores upon the wharfs and quays, and from ſhips and veſſels in the River Thames

explained.—*The facilities afforded by receivers of ſtolen goods, in connection with theſe plunderers—a remedy propoſed* - 56

CHAP. IV.

Reflections on the cauſes of the prevailing abuſes, frauds, plunder, and pillage, in the public arſenals, and in ſhips of war and tranſports—*The means of improving the laws—the exiſting abuſes analized—remedies propoſed and explained* - - 66

CHAP. V.

On the perpetration of the more atrocious offences of burglary and highway robbery.—*The different claſſes of delinquents engaged in theſe offences—the means uſed to accompliſh their purpoſes—remedies ſuggeſted for the purpoſe of detection and prevention* - 85

CHAP. VI.

On the coinage and circulation of baſe money—*The proceſs in coining each ſpecies of counterfeit money explained—the extenſive trade in ſending baſe coin to the country—its univerſal circulation in the metropolis.—Foreign money alſo counterfeited—the vaſt extent of the evil—the defects in the preſent laws explained.—A remedy propoſed* 106

CHAP.

CHAP. VII.

On the ſubject of forgeries, frauds, and the offences of cheating, ſwindling, and gambling—*the evils ariſing from theſe practices in the metropolis explained, and various remedies ſuggeſted* - - 140

CHAP. VIII.

Relative to receivers of ſtolen goods in general—*their evil tendency as the nouriſhers and ſupporters of thieves—their increaſe attributed to the imperfection of the laws.—Their modes of dealing explained—their profit immenſe.—The laws relative to receivers reviewed—amendments propoſed, and remedies ſuggeſted* - - - 183

CHAP. IX.

On the means of detecting offenders.—*The utility of officers of juſtice as ſafeguards to the community—their powers explained—rewards granted in certain caſes on the conviction of offenders:* 1000 *peace officers and* 2044 *watchmen and patroles in the metropolis.—A general view of the Magiſtracy—the great inconvenience of the preſent ſyſtem—remedies propoſed* - - - 208

CHAP. X.

On the profecution of offenders—*The numerous chances which delinquents have of eſcaping juſtice—an account of the different courts where perſons committing offences in or near the metropolis are tried—the great purity of the judges—the advantages of a Proſecutor for the Crown—the numbers vomited back on ſociety by means of gaol deliveries and acquittals* 242

CHAP. XI.

On Puniſhments.—*The mode authorized by the ancient and modern laws—the evil tendency of pardons explained*—death—the hulks—*tranſportation to New South Wales—penitentiary houſes—various improvements ſuggeſted with regard to the mode of puniſhment, with an immediate view to the prevention of crimes* 258

CHAP. XII.

On the preſent ſtate of the Police of the metropolis—*its particular organization—the Police ſyſtem of* 1792 *explained—alſo the preſent ſyſtem of Police in the city of London.—Reaſons aſſigned why crimes are not ſuppreſſed in a greater degree—ſuggeſtions relative to ſtipendiary Magiſtrates—the benefits which would ariſe from extending the ſyſtem—gene-*

ral

ral reflections on the remedies which have been proposed in the course of this Work 314

APPENDIX.

A summary view of the preceding Chapters, *with additional propositions.——The necessity of adopting the various remedies which have been suggested as the means of preventing crimes* 347

General Reflections - - 367

The Conclusion - - 368

INTRODUCTION.

NEXT to the bleſſings which a nation derives from excellent Laws, ably adminiſtered, are thoſe advantages which reſult from a well regulated and energetic police, conducted with purity, activity, vigilance, and diſcretion.

Upon this depends, in ſo great a degree, the comfort, the happineſs, and the ſecurity of the people, that too much labour and attention cannot poſſibly be beſtowed in rendering the ſyſtem complete.

That

That much remains to be done in this reſpect no perſon will deny; becauſe all ranks muſt bear teſtimony to the inſecurity, both with regard to life and property, which ariſes from the phalanx of criminal people, who are ſuffered from a variety of cauſes (which it is the object of the Writer of theſe pages to explain) to continue with impunity to repeat acts of licentiouſneſs and miſchief, and to commit depredations upon the property of the public.

In vain do we boaſt of thoſe liberties, which are our birth-right, if the vileſt and moſt depraved part of the community are ſuffered to deprive us of the privilege of travelling upon the highways, or of approaching the capital, in any direction, after dark, without danger of being aſſaulted, and robbed; and perhaps wounded or murdered.

In vain alſo do we boaſt of the ſecurity which our excellent Laws afford us, if we cannot lie down to reſt in our habitations without the dread of a burglary being committed, our property invaded, and our lives expoſed to imminent danger before the approach of the morning.

Equally deluſive is that protection which we are taught to ſuppoſe we derive from the adminiſtration

tion of criminal juſtice, if crimes are found to increaſe; if the moral principle ceaſes to be a check upon a vaſt proportion of the lower ranks of the people; and if ſmall thefts are known to prevail in ſuch a degree, as to affect almoſt all ranks of the community who have any property to loſe, as often as opportunities occur, whereby pilfering in a little way can be affected without riſk of detection.

If, in addition to this, the peace of ſociety ſhall on every ſpecious pretence be diſturbed by the licentious clamours or turbulent effuſions ariſing from the ill-regulated paſſions of vulgar life; ſurely it becomes an intereſting enquiry, worthy the attention of every intelligent member of the community, *From what ſource theſe numerous inconveniencies and preſſures ſpring: and where a remedy is to be found for ſo many accumulated evils?*

In developing the cauſes which have produced ſo much of that ſpecies of inſecurity which it is believed prevails in no other country in ſo great a degree as in England, it will firſt be neceſſary to examine how far the ſyſtem of criminal juriſprudence has been applicable to the prevention of crimes.

If we look back to the meaſures purſued by our anceſtors two centuries ago, and before

that period, we ſhall find that many wholeſome laws were made with a view to prevention, and to ſecure the good behaviour of immoral perſons, likely to commit offences. Since that æra in our hiſtory, a different ſyſtem has been purſued. Few regulations have been eſtabliſhed to reſtrain vice, or to render difficult the commiſſions of crimes, while the Statute Books have been filled with numerous Laws, in many inſtances doubtfully expreſſed, where the leading feature has generally been ſevere puniſhment, and where an uncertainty, as to the true meaning, joined to the ſeverity of this puniſhment, particularly for ſlight offences, lets looſe upon ſociety a phalanx of criminal individuals, who, under an improved ſyſtem of legiſlation and milder puniſhments, might, after proper correction in penitentiary houſes, be reſtored to ſociety as uſeful members.

In place of this, however, it is a melancholy truth not to be contradicted, that the major part of the hordes of criminal people who infeſt this metropolis, although committed by Magiſtrates for trial on very ſatisfactory proof, are again vomited back upon ſociety in vaſt numbers year after year, and are encouraged to renew their former practices by the facilities they experience in eſcaping juſtice.

But

But this is not all:—The adroit thief often eſcapes, from his knowledge of the tricks and devices which are practiſed through the medium of diſreputable practitioners of the Law, while the novice in crimes generally ſuffers the puniſhment attached to conviction. If a proof were allowed as to the means by which perſons put upon their trial for offences, obtain their ſubſiſtence, ſo as to diſtinguiſh the old reputed thief from the novice in crimes, the minds of jurymen would be often enlightened, to the benefit of ſubſtantial juſtice, and a humane and proper diſtinction would be made between the firſt dawn of depravity, and the finiſhed villain, in the Royal mercy extended to criminals under conviction.

The wiſdom of many other countries has rendered a proof as to character, on the part of a criminal proſecutor, a neceſſary meaſure to elucidate any charge affecting the intereſt of ſociety; and when ſuch proof (of being, for inſtance, a reputed thief) cannot be adduced, it is always preſumed to be in favour of the priſoner, and pleads ſtrongly in favour of a mitigation of puniſhment in caſes of conviction; while on the other hand, the old and hardened offender ſeldom eſcapes the puniſhment of the law.

The

The ſeverity of the puniſhments alſo is another cauſe why crimes of an inferior claſs, with reſpect to enormity, preſs ſo hard upon ſociety.

It will ſcarce be credited by thoſe whoſe habits of life do not permit them to enter into diſcuſſions of this ſort, that by the Laws of England, there are above one hundred and ſixty different offences which ſubject the parties who are guilty, to the puniſhment of death without benefit of Clergy.

In the execution of a criminal code, ſo ſanguinary in its iſſue, little penetration is required, to ſee that it muſt, in the nature of things, defeat the ends which were meant to be attained, namely, *The Prevention of Crimes.*

It is only neceſſary to examine, with a little attention, the modern hiſtory of the *criminal proſecutions, trials, acquittals, and pardons in this country*, in order to be completely convinced that one great cauſe of the progreſſive increaſe of criminal people is to be traced to the circumſtance of ſuch a multitude of ſlighter offences being liable to the puniſhment of death.

Under ſuch circumſtances (to uſe the words of a reſpectable Writer) "The injured, through compaſſion,

" paſſion, will often forbear to proſecute :—Juries,
" through compaſſion, will ſometimes forget their
" oaths, and either acquit the guilty or mitigate
" the nature of the offence :—and judges, through
" compaſſion, will reſpite one half the convicts,
" and recommend them to Royal mercy." *

The Roman Empire never flouriſhed ſo much as during the æra of the Porcian Law, which abrogated the puniſhment of death for all offences whatſoever. When ſevere puniſhments and an incorrect police were afterwards revived, the Empire fell.

It is not meant, however, to inſinuate that this would be a proper ſyſtem of criminal juriſprudence to be adopted in modern times.

In the preſent ſtate of ſociety it becomes indiſpenſibly neceſſary, that offences which in their nature are highly injurious to the public, and where no ground can be eſtabliſhed by way of prevention, ſhould be puniſhed by the forfeiture of life: but theſe dreadful examples ſhould be exhibited as ſeldom as poſſible, for while on the one hand, ſuch puniſhments often defeat the ends of juſtice by their not

* Blackſtone's Commentaries.

being

being carried into execution: ſo on the other, by being often repeated, they loſe their effect upon the minds of the people.

If it were poſſible to form a ſcale of offences with a correſponding puniſhment applicable to each, and aſcending from the ſlight miſdemeanor in progreſſive gradation to the higheſt crimes of forgery, arſon, murder, and treaſon, the guilty would not ſo frequently eſcape the puniſhments of the law; and the numerous hordes of thieves and fraudulent people who are daily committed for ſlighter offences, would not, as at preſent, be vomited back upon ſociety either by gaol deliveries or by acquittals.

This idea has been ſuggeſted by an author of conſiderable reputation,* and certainly merits attention, as well as many other ſuggeſtions which will be ſubmitted to the conſideration of the public, for the improvement of the police of the metropolis, and of the country at large, in the following pages. For certain it is, that however much we glory (and we ought to glory) in the excellence of our Criminal Law, yet there is no truth more clear and obvious than this, "That this code exhibits too much the

* Beccar, cap. 6.

"appearance

"appearance of a heterogenous maſs, concocted too "often on the ſpur of the occaſion (as Lord Bacon "expreſſes it.)—And frequently without that de- "gree of accuracy, which is the reſult of able "and minute diſcuſſion, or a due attention to "the reviſion of the exiſting laws, or how far their "proviſions bear upon new and accumulated ſta- "tutes introduced into Parliament, often without "either conſideration or knowledge; and without "theſe precautions, which are always neceſſary, "when laws are to be made which may affect the "property, the liberty, and perhaps even the lives "of thouſands." †

Were the exiſting laws, which form our preſent Criminal Code (according to the ſuggeſtions of Lord Bacon, and an eminent Criminal Lawyer of our own times) now to be referred to able and intelli-

† Surely it is not a correct ſyſtem of juriſprudence to inflict the ſame puniſhment as is inflicted upon Murderers, namely, the puniſhment of Death for the crime of breaking down the mound of a fiſh-pond, whereby the fiſh may eſcape; or cutting down a fruit tree in a garden or orchard—or to ſteal a handkerchief, or any trifle, privately from a perſon's pocket, above the value of 12d.—Theſe are offences puniſhed with Death as abovementioned, while a number of others, of much greater enormity, are only puniſhed with Tranſportation or Impriſonment.

gent men, who ſhould undertake to reviſe, conſolidate, and adjuſt the whole in a manner beſt ſuited to the preſent ſtate of ſociety and manners, the inveſtigation would unqueſtionably excite wonder and aſtoniſhment; and thoſe concerned in it could not fail to lament that ſo many laws, inflicting ſevere penalties and puniſhments for ſlight offences, at preſent fill the Statute Book, while ſeveral crimes, highly injurious to ſociety, are not puniſhed at all.

Penal Laws, which are either obſolete or abſurd, or which have ariſen from an adherence to rules of Common Law when the reaſons have ceaſed upon which theſe rules are founded; and in ſhort, all laws which appear not to be founded on the dictates of truth and juſtice, the feelings of humanity and the indelible rights of mankind, ſhould be abrogated and repealed. ‡

The method of inflicting puniſhments ought always to be proportioned to the end it is meant to ſerve. That boundary ſhould never be exceeded, and where Death does not attach to the crime, the reformation and future utility of the

‡ Blackſtone.

convict

convict to the ſtate, ſhould conſtantly form a leading feature in our criminal juriſprudence.

By compelling perſons convicted of offences to be uſeful and induſtrious, a repetition of crimes is prevented, and in place of being injured by reiterated depredations, as is the caſe at preſent, ſociety would enjoy not only the benefits ariſing from the protection of life and property; but alſo from productive labour encreaſing and enlarging the reſources of the State through the medium of its worſt members.

But the deficiency of the Criminal Code is not limited alone to an erroneous and undigeſted ſcale of penalties and puniſhments. On the one hand, while we have to lament the number of theſe puniſhments applicable to certain offences of a ſlight nature, we have equally to regret, that there exiſt crimes of conſiderable enormity, for which the law has made no proviſion at all.

Among the moſt prominent of theſe, may be ranked the crime of receiving *Caſh or Specie, Bank Notes or Bills, knowing them to be ſtolen.*

To this very high offence, in its nature ſo productive of miſchief in a commercial country, no puniſhments at all attach, inaſmuch as *Specie, Notes, and Bills*, are not conſidered to be *Goods*

and Chattels, and the law only makes it a crime to receive property ſo deſcribed.

If therefore a notorious receiver of ſtolen goods ſhall be convicted of purchaſing a glaſs bottle or a pewter pot, he is liable to be puniſhed ſeverely; but if he receives ten or twenty thouſand pounds in *Caſh*, *Bank Notes or Bills*, he eſcapes with impunity! *

Innumerable almoſt are the other inſtances which could be collected from Reporters of Criminal Caſes, *or what is called the Pleas of the Crown*, ſhewing the deficiency of the Criminal Code, and in how many inſtances ſubſtantial juſtice is defeated, and public wrongs ſuffered, on account of the objections and quibbles which are conſtantly raiſed in Courts of Juſtice, for want of that reviſion of our laws and thoſe amendments which the preſent ſtate of ſociety and commerce require.

The great nurſery of crimes is to be traced to the receivers of ſtolen property.

If theſe miſchievous members of ſociety did not exiſt, there would be no encouragement to criminal depredations upon the public.

* It is ſaid the ſame conſtruction of the Law has been made with reſpect to the Offence of buying or receiving Horſes, knowing them to be ſtolen.

Without

Without thoſe facilities which receivers hold out, by adminiſtering immediately to the wants of criminal people, and of concealing what they purloin from the public, a thief, a robber, or a burglar, could not carry on his trade.

And yet concluſive and obvious as this remark muſt be, it is a melancholy truth, that in the metropolis alone there are at preſent ſuppoſed to be upwards of Three Thouſand Receivers of various kinds of Stolen Goods, and an equal proportion all over the country, who keep open ſhop for the purpoſe of purchaſing at an under-price—often for a mere trifle, every kind of property brought to them, from a nail, or a glaſs bottle, up to the moſt valuable article, either new or old; and this without aſking a ſingle queſtion!

It is not ſuppoſed, that the property which is purloined and pilfered in a little way, from almoſt every family, and from every *houſe*, *ſtable*, *ſhop*, *warehouſe*, *workſhop*, *foundery*, *and other repoſitories*, in and about the metropolis, can amount to leſs than £700,000 a year, excluſive of what is pilfered from ſhips in the River Thames; which amounts, at the loweſt eſtimate, to half a million ſterling more, including the ſtores and materials! —And when to this, is added the pillage of His Majeſty's

Majeſty's ſtores, in ſhips of war, dock-yards, and other public repoſitories, the aggregate will be found, in point of extent, almoſt to exceed credibility!

It is a melancholy reflection to conſider how many individuals, young and old, who are not of the claſs or deſcription of common or even reputed thieves, are implicated in this ſyſtem of depredation, who would probably have remained honeſt and induſtrious, had it not been for the eaſy and ſafe mode of raiſing money, which theſe numerous Receivers of Stolen Goods hold out in every bye-ſtreet and lane in the metropolis; where, although a beggarly appearance of old iron, old rags, or ſecond-hand cloaths is only exhibited, the back apartments are often filled with the moſt valuable articles of ſhip-ſtores, copper bolts, and nails, braſs, and other valuable metals, Weſt-India produce, houſehold goods, and wearing apparel, purchaſed from artificers, labourers in the docks, lumpers, glutmen, menial ſervants, apprentices, journeymen, porters, chimney-ſweepers, itinerant Jews, and others, who thus encouraged, and thus protected, go on with impunity, and without the leaſt dread of detection, in ſupplying the numerous imaginary wants which are created in a large capital, by plundering every article not likely to be miſſed in the houſes or

ſtables

ſtables of men of property, or in the ſhops, warehouſes, founderies, workſhops of manufacturers, or from new buildings, from ſhips in the river, and alſo from His Majeſty's ſtores, and other repoſitories, where, in ſome inſtances, the ſame articles are ſaid to be ſold to the public boards three or four times over.

Thus it is that the moral principle is totally deſtroyed among a vaſt body of the lower ranks of the people, for wherever prodigality, diſſipation, or a want of œconomy, or gaming in the Lottery, occaſions a preſſure for money, they avail themſelves of every opportunity to purloin public or private property, and recourſe is had to all thoſe tricks and devices, by which even children are enticed to ſteal before they know that it is a crime, and to raiſe money at the pawnbrokers, or the old iron or rag ſhop, to ſupply the wants of profligate parents.

Hence it is, that ſervants, apprentices, journeymen, and labourers, in ſhort, all thoſe claſſes of labouring people who have opportunities of purloining the property of their maſters, their employers, or the public, are led aſtray by the temptations to ſpend money, which occur in a great metropolis, and by the facilities which are held out

out by theſe numerous Receivers of Stolen Goods, by adminiſtering to their pecuniary wants, on every occaſion, when they can furniſh them with any article whatſoever.

The deficiency of the Criminal Code, in not extending ſome regulations to this numerous claſs of Dealers in old metal, ſtores, and wearing apparel, is too obvious to require illuſtration, and their ſucceſs in encouraging depredations, as well as the progreſſive accumulation of theſe peſts of ſociety is proved, by their having increaſed from about 300 to 3000 in the courſe of the laſt twenty years, in the metropolis alone!

The like deficiency extends alſo to the more latent Receivers, who do not keep open ſhop; but ſecretly ſupport the profeſſed robbers and burglars, by purchaſing their plunder the moment it is acquired, of which claſs there are ſome who are extremely opulent.

Many regulations might be uſefully introduced, for the purpoſe of checking and embarraſing theſe criminal people, ſo as to render it extremely difficult, if not impracticable for them in many inſtances, to carry on their buſineſs without the greateſt hazard of detection.

But ſuch regulations muſt not be placed upon the Statute Book as a kind of dead letter, only to be brought into action when accident leads to the detection perhaps of one out of a thouſand.

If the evil is to be cured at all, it muſt be by ſuch regulations as will eſtabliſh an active principle, under proper ſuperintendance, calculated to prevent every claſs of dealers, who are known to live partly or wholly by fraud, from purſuing thoſe illegal practices, which nothing but a correct ſyſtem of reſtraints can poſſibly effect.

Such reſtraints, while they aſſiſt the honeſt and fair dealer, will alſo protect the public, as well as merchants, and all ranks of the community, who have any property to loſe, from the numerous depredations and thefts which are committed, while the moral principle is, in ſome degree preſerved, by the difficulties which will occur in the diſpoſal of ſtolen property.

Nor ought it to be argued, that ſuch reſtraints as may hereafter be propoſed, will affect the liberty of the ſubject, ſince it is perfectly conſiſtent with the ſpirit of our ancient laws, to reſtrain perſons from doing evil, who are likely to commit offences, and ſince they can only attach to a very few, compara-

tively ſpeaking, whoſe criminal conduct has been the principal, if not the ſole cauſe, of abridging the liberty, and of ſubjecting to riſk and to danger of life and property, the great maſs of the people.

Whenever any deſcription of dealers are known to encourage or to ſupport crimes, or criminal, or fraudulent perſons, it becomes the indiſpenſible intereſt of the ſtate, that ſuch dealers ſhould be reſtrained by law from purſuing at leaſt the miſchievous part of their trade, and that proviſions ſhould be made for carrying the law ſtrictly and regularly into execution.

Reſtraints of a much ſeverer nature attach to all trades upon which a revenue is collected, and ſurely it can be no infringement of liberty, to extend a milder ſyſtem to thoſe nuiſances in ſociety who not only deſtroy liberty but invade property.

The preſent ſtate of ſociety and manners calls aloud for the adoption of this principle of regulation, as the only practicable means of preſerving the morals of a vaſt body of the lower order of the people, and of preventing thoſe numerous and increaſing crimes and miſdemeanors which preſs ſo hard upon ſociety.

If once eſtabliſhed, under circumſtances which will enſure a correct and regular execution, and if to this, certain other practicable arrangements ſhall take place, (which will be diſcuſſed in their regular order in theſe pages,) we ſhould ſoon felicitate ourſelves on the immediate and obvious reduction of the number of thieves, robbers, burglars, and other criminal people in this metropolis, who not being able to exiſt, or to eſcape detection without the aid, the concealment, and the other facilities afforded at preſent by that multitude of Receivers, which are ſpread all over the capital, they would be compelled to abandon their criminal purſuits as unprofitable, hazardous, and deſtructive.

Prevention of crimes and miſdemeanors is the true eſſence of Police;—and this is only to be attained by ſuch wiſe and proper legiſlative arrangements, as ſhall enable the Civil Magiſtrate to throw every poſſible difficulty in the way of criminal people.

This indeed is very different from the former ſyſtem which prevailed in the capital, and which allowed criminal people to ripen from the firſt ſtage of depravity until they were worth forty pounds.—This is not the ſyſtem which ſubjected the public to the intermediate depredations of every villain from his

firſt ſtarting, until he could be clearly convicted of a capital offence.—Neither is it the ſyſtem which encouraged public houſes of rendezvous for thieves, for the purpoſe of apprehending them when they became ripe for the puniſhment of death.

It is a ſyſtem calculated to prevent, if poſſible, the ſeeds of villainy from being ſown;—or if ſown, to check its growth in the bud, and never to permit it to ripen at all.

It is propoſed to extend this ſyſtem of prevention to the Coiners, Dealers, and Utterers of baſe Money, as well as to every ſpecies of theft and robbery.

The vaſt increaſe, and the extenſive circulation of baſe Money, particularly of late years, is too obvious not to have attracted the notice of all ranks of the community, and has become an enormous evil, in the melancholy catalogue of crimes which the Police of the country is called upon to ſuppreſs.—Its extent almoſt exceeds credibility: and the dexterity and ingenuity of theſe criminal people have (after conſiderable practice) enabled them to finiſh the different kinds of counterfeit

terfeit Money in ſo maſterly a manner, that it has become extremely difficult for the common obſerver to diſtinguiſh the baſe Coin now in circulation, from the worn-out Silver of the Mint.—And ſo ſyſtematic has this nefarious traffic become, that the great dealers, who in moſt inſtances, are the employers of the Coiners, execute orders for the town and country with the ſame regularity, as other manufacturers in fair branches of trade.

Scarce a waggon, or coach, departs from the metropolis, that does not carry boxes and parcels of baſe Coin to the camps, ſea-ports, and manufacturing towns, inſomuch, that the country is deluged with counterfeit Money.

In London, regular markets, in various public and private houſes, are held by the principal Dealers, where *Hawkers*, *Pedlars*, *fraudulent Horſe-Dealers*, *Unlicenced Lottery-Office Keepers*, *Gamblers at Fairs*, *Itinerant Jews*, *Iriſh Labourers*, *Servants of Toll Gatherers and Hackney Coach Owners*, *fraudulent Publicans*, *Market Women*, *Rabbit Sellers*, *Fiſh Cryers*, *Barrow Women*, and many, who would not be ſuſpected, are regularly ſupplied with counterfeit Copper and Silver, with the advantage of nearly 100 per cent in their favour; and thus it happens, that through theſe various channels, immenſe

menſe quantities of baſe Money get into circulation, while an evident diminution of the Mint Coinage is apparent to every common obſerver.

It is impoſſible to reflect on the alternative, to which all ranks in ſociety are reduced, of receiving, and again uttering, Money which is known to be falſe and counterfeit, without lamenting, that by thus familiarizing the mind to fraud and deception, the moral principle is conſiderably weakened, if not deſtroyed.

In the nature of things at preſent, all ranks in ſociety muſt receive baſe Money, and being thus cheated, the parties injured in this way, muſt knowingly and wilfully cheat in their turn: and it is much to be feared, that when this ſpecies of fraud becomes familiar to young minds, it may extend to other tranſactions of life:—The barrier once broke down in one part, the moral principle moulders in others, and infinite miſchief is the reſult, to the very beſt intereſts of ſociety.

To permit, therefore, the exiſtence of a Silver and Copper Coinage, ſuch as is now in circulation, is to tolerate fraud and deception in all ranks of the community, to the ultimate loſs of many individuals; for the evil muſt terminate at

ſome

ſome period, and then thouſands muſt ſuffer, with this difference, that the longer it continues, the greater will be the loſs of property.

But the miſchief is not confined to the counterfeiting of Coin, ſimilar to that of the Realm. The avarice and ingenuity of man is conſtantly finding out new ſources of fraud, inſomuch, that in London, and in Birmingham, and its neighbourhood, Louis d'Ors, Half Johannes, French Half-Crowns and Shillings, as well as ſeveral coins of Flanders and Germany, are counterfeited without any apparent ſuſpicion that by the old obſolete act of the 14th of Elizabeth, they are guilty of miſpriſion of High Treaſon.

Nor is the evil confined to the foreign Coins of Europe alone, ſince a Coinage of the Star Pagoda of Arcot has been eſtabliſhed in London for ſome years.—Theſe Counterfeits being made wholly of blanched copper, tempered in ſuch a manner as exhibit, when ſtamped, the cracks in the edges, which are always to be found on the real Pagoda, coſt the makers only Three Half-pence each, after being double gilt. When finiſhed, they are generally ſold to Jews at Seven Shillings a dozen; and through this medium, introduced by a variety of channels, to India, where they are mixed with the

the real Pagodas of the country, and ſold at their full denominated value of Eight Shillings ſterling.

The Sequins of Turkey, another Gold Coin, worth about Five or Six Shillings, have in like manner been recently coined in London:—Thus it is that the national character is wounded, and the diſgrace of the Britiſh name proclaimed in Aſia, and even in the moſt diſtant regions of India; and it cannot be ſufficiently lamented, that perſons in ſuperior ſtations in life, with ſome pretenſions to honor and integrity, have ſuffered their avarice ſo far to get the better of the moral principle, as to be concerned in this abominable traffic.

Diſcoveries have been recently made of no leſs than 120 perſons in the metropolis and the country, who are employed principally in Coining and Selling baſe Money; and this independant of the numerous horde of Utterers, who chiefly ſupport themſelves by paſſing it at its full value.

It will ſcarcely be credited, that of theſe criminal people who have either been detected, proſecuted, or convicted, within the laſt ſeven years, there ſtands upon the Regiſter of the Solicitor to the Mint, no leſs than 608 names!—And yet the evil increaſes rapidly. And when it is known, that

two

two perſons can finiſh from £200. to £300. in baſe Silver *in ſix days*, and that three people, within the ſame period, will ſtamp the like amount in Copper; and when the number of known Coiners are taken into the calculation, the aggregate, in the courſe of a year, muſt be immenſe!—*It certainly exceeds* £200,000.

The cauſes of this enormous evil are, however, eaſily developed.—The principal laws relative to Counterfeit Coin having been made a century ago, the tricks and devices of modern times are not provided for: and when it is conſidered, that while the offence of dealing in baſe Money (which is the main ſpring of the evil) is only puniſhed by a ſlight impriſonment, that ſeveral other offences are not puniſhable at all, by any exiſting ſtatute, and that the detection of actual Coiners, ſo as to obtain the proof neceſſary for conviction, required by law, is, in many inſtances, impracticable; it is not to be wondered, where the profit is ſo immenſe, with ſo many chances of eſcaping puniſhment, that the Coinage and traffic in Counterfeit Money has attracted the attention of ſo many criminal people.

It is an evil however, which may, like other enormities already explained, be cured by wiſe legiſlative regulations, aided by proper provi-

ſions for their due execution, under a vigorous and energetic police.

Having thus ſtated many prominent evils which ariſe from the imperfections in our Criminal Code, as well as the benefits which an improved ſyſtem would extend to the country; it now remains to elucidate the further evils to ſociety, ariſing from the abuſes which are practiſed in carrying theſe laws into execution, where criminal people are charged with offences.—As the laws now ſtand, no energy enters into the ſyſtem of detections, ſo as to give vigor and effect to that branch of police which relates to the apprehenſion of perſons charged with offences, and no ſooner does a Magiſtrate commit a hackneyed Thief or Receiver of Stolen Goods, a Coiner, or Dealer in baſe Money, or a criminal perſon charged with any other offence puniſhable by law, than recourſe is immediately had to ſome diſreputable Attorney, whoſe mind is made up and prepared to practiſe every trick and device which can defeat the ends of ſubſtantial juſtice. Depraved perſons are hired to ſwear an alibi: witneſſes are cajoled, threatened, or bribed either to mutilate their evidence or to ſpeak doubtfully on the trial, although they ſpoke poſitively before the committing Magiſtrate.

If

If bribes and perſuaſions will not do, the proſecutors are either intimidated by the expence,* or ſoftened down by appeals to their humanity, and under ſuch circumſtances, they neither employ counſel nor take the neceſſary ſteps to bring forward evidence: and the reſult is, that the bill is either loſt in the Grand Jury, or if a trial takes place under all the diſadvantages of a deficient evidence without a counſel for the proſecution, an advocate is heard for the priſoner, availing himſelf of every trifling inaccuracy which ſhall ſcreen his client from the puniſhment of the law, the hardened villain is acquitted and eſcapes juſtice; while the novice in crimes, unſkilled in the deficiencies of the law, and unable, from the want of criminal connections, or that ſupport, which the profeſſed thief receives from the Buyers of Stolen Goods, to procure the aid of counſel to defend him, *is often convicted!*

The regiſters of the Old Bailey afford a melancholy proof of the evils ariſing from the preſent mode of trying criminals without a public proſecutor for the crown.—In the courſe of ſeven

* No hardſhip can be ſo great as that of ſubjecting the private individual to the expence of a public proſecution, carried on in behalf of the King.—Beſides adding, almoſt on every occaſion, to the loſs of the parties, it is productive of infinite miſchief, in defeating the ends of Juſtice.

years, previous to the Police Eſtabliſhment, no leſs than 4262 priſoners, who had been actually put upon their trial by the Grand Jury, were let looſe upon ſociety by acquittals.

Since that period there has been no material diminution, except what may be eaſily accounted for by the war; and when to this dreadful catalogue of human depravity, is to be added, the vaſt number of criminal people who are periodically diſcharged from the different goals by proclamation, it is not an unfair deduction, that there are not leſs, at this time, than ten thouſand individuals, male and female, prowling about in this metropolis, who principally ſupport themſelves by depredations on the public.

Nor does the evil reſt here; for the convicted felons, in too many inſtances, find means alſo to return upon ſociety without puniſhment, and to join that phalanx of villains, who are conſtantly engaged in objects of depredation and miſchief.

No ſooner does the puniſhment of the law attach to a criminal than humanity becomes his friend.

Pardons are applied for, and his Majeſty's goodneſs and love of mercy is abuſed, and his principal Secretary of State deceived by the tricks, devices and

and frauds too frequently reſorted to by this unfortunate claſs of men, aided by agents equally depraved as themſelves, who often have recourſe to every ſpecies of falſehood and forgery, for the purpoſe of attaining the object in view, plundering at the ſame time, the friends and relatives of the priſoner of their laſt guinea, as the wages of villainy and miſrepreſentation.

By ſuch nefarious practices, it is much to be feared, that many a hardened villain has been again let looſe upon ſociety, without any previous reference to the Judges or the committing Magiſtrates, who may be ſuppoſed to have accurately examined into the character and connection of the priſoner; and without extending to the community thoſe benefits which ariſe from important diſcoveries uſeful to public juſtice, which convicted felons are always capable of making, and which, in conjunction with tranſportation, would ſeem to be one indiſpenſible condition upon which pardons ſhould be granted to capital convicts. *

But in place of ſuch precautions it is to be lamented, that without reflecting that a common thief can ſeldom be reſtrained by military diſcipline, many of the worſt claſs of theſe criminal and depraved

* If this rule was followed, infinite advantages would reſult from it in preventing Crimes, as well as in detecting Offenders.

individuals,

individuals have received his Majeſty's gracious pardon, on the ſimple condition of going into the army or navy, which has been no ſooner granted, than the Royal mercy has been abuſed, either by deſertion, or by obtaining a diſcharge, in conſequence of ſome real or pretended incapacity, which was previouſly concealed: and thus relieved in ſo eaſy a manner, of the heavy load of a capital puniſhment, they return again to their old practices, and the example of puniſhment not only ceaſes to operate as a prevention of crimes; but becomes an encouragement, while the labour of detection, and the expence of trial and conviction, is loſt to the public.

But the evil ariſing from the periodical return upon ſociety of ſo many criminal and depraved people, by proclamations, acquittals, and pardons, is not all the inconvenience which the public feels from the preſent ſtate of the Police of the metropolis.

In addition to this, the hulks vomit forth periodically upon the public, hordes of convicts, who having *no aſylum*, *no home*, *no character*, and *no means of ſubſiſtence*, ſeem to have only the alternative of joining their companions in iniquity, and of adding ſtrength to the criminal phalanx, by the acceſſion of men, who, polluted and depraved by every

every human vice being rendered familiar to their minds in thoſe ſeminaries of profligacy and wickedneſs from whence they have come, employ themſelves conſtantly in planning and executing acts of violence and depredation upon the public; and ſome of them, rendered deſperate from an additional degree of depravity, feel no compunction in adding the crime of murder to robbery, as has been too clearly manifeſted by the late practice of theſe deſperadoes.

From what has been thus ſtated, is it not fair to conclude, that the inſecurity which the public experiences with regard to life and property, and the inefficacy of the Police in preventing crimes is to be attributed to the following cauſes?

1. The imperfections in our Criminal Code; and in many inſtances, its deficiency, with regard to regulations and proviſions applicable to the preſent ſtate of ſociety.

2. The want of a properly digeſted and energetic ſyſtem of Police, and a proper fund for giving effect to the exertions of Magiſtrates in detecting Criminals, and rewarding Officers of Juſtice, and others, for uſeful ſervices.

3. The want of a public proſecutor for the Crown, to prevent frauds in the adminiſtration of Criminal Juſtice.

4. The

4. The unneceſſary ſeverity and ſanguinary nature of puniſhments.

5. The abuſes in granting pardons to capital Convicts.

6. The ſyſtem of the Hulks.

7. The want of proper Penitentiary Houſes for the employment and reformation of Convicts.

The moſt prominent cauſes being thus explained, from which are preſumed to ariſe thoſe increaſing evils which every good man muſt deplore; it now remains to offer ſuch ſuggeſtions, as ſhall tend to remove them, and extend to the public, thoſe bleſſings which ſhall ariſe from improved laws, adminiſtered with purity under ſuch a correct and energetic ſyſtem of Police, applicable to the preſent ſtate of ſociety, as ſhall be, in ſome degree, effectual in guarding the public againſt thoſe increaſing and multifarious injuries and dangers which have become ſuch a preſſure upon the community.

But as the ſubject involves in it a great variety of detail, of a very intereſting nature, which will be neceſſary to diſcuſs under different heads, its further elucidation, and the remedies which are propoſed, will be found in the following Chapters.

CHAP.

CHAP. I.

A General View of the Prominent Cauſes of the increaſe of Crimes as proceeding from the Vices of the lower ranks of the People, engendered principally in Public-Houſes.—An eſtimate of the extent of the Depredations ariſing from this evil in the Metropolis and its vicinity.—Reflections and Suggeſtions applicable to this branch of the ſubject.

IN developing the cauſes which have ſo multiplied and increaſed thoſe various offences and public wrongs which are at preſent felt to preſs ſo hard upon ſociety, it may be truly affirmed in the firſt inſtance, much is to be imputed to *deficient and inapplicable Laws, and to an ill-regulated Police.*

Crimes of every deſcription have their origin in the vicious and immoral habits of the people;—in the want of attention to the education of the inferior orders of ſociety;—and in the deficiency of the ſyſtem which has been eſtabliſhed for guarding the morals of this uſeful claſs of the community.

Innumerable temptations occur in a great capital where crimes are reſorted to, in order to ſupply imaginary wants and improper gratifications,

which are not known in leſſer ſocieties: and againſt which the laws have provided few applicable remedies in the way of prevention.

The improvident and even the luxurious mode of living which prevails too generally among various claſſes of the lower ranks of the people in the metropolis, leads to much miſery and to many crimes.

Accuſtomed from their earlieſt infancy to indulge themſelves in eating many articles of expenſive food in its ſeaſon,* and poſſeſſing little or no knowledge of that kind of frugality and care which enables well-regulated families to make every thing go as far as poſſible, by a diverſified mode of cookery and good management: —Aſſailed alſo by the numerous temptations held out by fraudulent Lotteries, and places of public reſort and amuſement; and above all, by the habit of ſpending a great deal of valuable time as well as money unneceſſarily in public-houſes; and often allured by low gaming, to ſquander more than they can afford, there is ſcarce an inſtance of accommodating the income to the expenditure, even

* The chief conſumption of oyſters, crabs, lobſters, pickled ſalmon, &c. when firſt in ſeaſon, and when prices are high, is by the *loweſt* claſſes of the people.—The middle ranks, and thoſe immediately under them, abſtain generally from ſuch indulgencies until the prices are moderate.

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in the beſt of times, with a conſiderable body of the loweſt orders of the people inhabiting the capital: and hence a melancholy concluſion is drawn, warranted by a generally aſſumed fact; "that above "Twenty Thouſand Individuals riſe every morn-"ing in this great metropolis, without knowing "how, or by what means they are to be ſupported "during the paſſing day, or where they are to "lodge on the ſucceeding night."

Poverty is no where to be found cloathed in ſo great a degree with the garb and emblems of the extremeſt miſery and wretchedneſs, as in London.

Develope the hiſtory of any given number of theſe miſerable fellow-mortals, and their diſtreſſes will be found, almoſt in every inſtance, to have been occaſioned by extravagance, idleneſs, profligacy, and crimes:—and that their chief ſupport is by thieving in a little way.

Allured and deceived by the facilities which the pawnbrokers and the old-iron ſhops hold out, in enabling the labouring people, when they marry, and firſt enter upon life in the metropolis, to raiſe money upon whatever can be offered as a pledge or for ſale; the firſt ſtep with too many, is generally to diſpoſe of wearing-apparel and houſhold goods, which is frequently done upon the leaſt preſſure, rather than forego the uſual gratification of a good dinner or a hot ſupper.—Em-

baraſſments are ſpeedily the conſequence of this line of conduct, which is too often followed up by idleneſs and inactivity. The alehouſe is reſorted to as a deſperate remedy, where the idle and the diſſolute will always find aſſociates, who being unwilling to labour, reſort to crimes for the purpoſe of ſupplying an unneceſſary extravagance.

It is truly melancholy to reflect upon the abject condition of that numerous claſs of profligate parents, who with their children, are conſtantly to be found in the tap-rooms of public-houſes, ſpending in two days, as much of their earnings as would ſupport them a week comfortably, in their own dwellings;—deſtroying their health;—waſting their time, and rearing up their children to be proſtitutes and thieves before they know that it is a crime.

In the city of London, and within the Bills of Mortality, there are at preſent 5204 licenſed Public-Houſes,* and it is calculated that the Beer and Spirits which are conſumed in theſe receptacles of

* In London — — —	825
In Weſtminſter — —	997
In that part of Middleſex which lies within the bills of mortality —	2439
In Southwark, and that part of Surry which lies within the bills of mortality -	943
Total	5204 Public Houſes.

idleneſs

idleneſs and profligacy by the *labouring people alone*, does not amount to leſs than *Three Millions ſterling a year!*

A moment's reflection will ſhew how much theſe unfortunate habits tend to deſtroy the moral principle, and to engender crimes.

The fact is, that a large proportion of thoſe earnings which would enable a family to be comfortable at home,—to educate their children, and to rear them up with a proper regard to their health and morals, ſo as to render them uſeful, inſtead of miſchievous members of the community, is from invincible and growing habit, ſquandered in public-houſes.

The period is not too remote to be recollected, when it was thought a diſgrace for a woman (excepting on holiday occaſions) to be ſeen in the tap-room of a public-houſe: but of late years the obloquy has loſt its effect, ſince it is to be lamented, that the public tap-rooms of many alehouſes are filled with men, women, and children, on all occaſions, where the wages of labour is too often exchanged for indulgencies ruinous to health, and for leſſons of profligacy and vice, totally deſtructive of the morals of the adults as well as of the riſing generation.

In tracing the cauſes of the increaſe of public depredation by means of robberies, pilferings, and frauds,

frauds, much muſt be attributed to ill-regulated public-houſes.

In place of entruſting licences only to men of ſober manners and of good moral character, a little enquiry will ſhew that a conſiderable proportion of the preſent Ale-Houſe Keepers in the metropolis are men of no reſpectability; diſpoſed to promote drunkenneſs, low games, and every ſpecies of vice and immorality that can be the means of encreaſing their trade; while not a few of them are connected with Highwaymen, common Thieves, and Coiners of baſe Money.

An ill-regulated public-houſe is one of the greateſt nuiſances which can exiſt in civil ſociety.—Through this medium, crimes are increaſed in an eminent degree.—Its poiſon ſpreads broad and wide.—It may be truly ſaid to be a ſeminary for rearing up rogues and vagabonds.

It is in ſuch houſes that thieves find an aſylum, and conſult how and where they are to commit depredations on the public.—It is here that Apprentices, and Boys and Girls of tender years are to be found engaged in ſcenes of lewdneſs and debauchery, and in fine, it is in ſuch places where almoſt every vice which diſturbs or interrupts the peace and good order of ſociety, has its origin.*

Of

* It has been lately diſcovered, that Clubs of Apprentice Boys are harboured in public-houſes, for the purpoſe of ſupporting

Of how much importance therefore is it for Magiſtrates to eſtabliſh correct ſyſtems for watching over the conduct of publicans and public-houſes?—Every thing that tends to the prevention of crimes;—to the comfort and happineſs of the labouring people; and to the eſſential intereſt of the ſtate in what regards the morals and the health of the lower ranks of the community, in checking the prevailing propenſity to drunkenneſs, gaming, and idleneſs, depends, in a great meaſure, on the vigilance and attention of the Civil Magiſtrates, whoſe powers to do good in this reſpect are extremely ample, and only require to be exerted with attention, mildneſs, and prudence, joined to firmneſs and good judgment.

The foundation of all good Police reſts upon thoſe wiſe regulations which the Clergy and the Magiſtrates ſhall carry into execution for the preſervation of morals, and the prevention of crimes.

It is earneſtly to be hoped, that thoſe who have the charge of pariſhes will lend their aid in a greater

porting their Brethren who run away from their Maſters, and of indulging themſelves early in the ſcenes of lewdneſs and drunkenneſs, which they generally do by pilfering their Maſter's property, and diſpoſing of it at the old-iron ſhops.—In this ſituation, from being an Apprentice to a lawful trade, they in general become the Apprentices of Thieves, who reſort to ſuch houſes to find boys fit for their purpoſe.

degree,

degree, by a more immediate attention to the condition of the poor, by regularly viſiting their abodes, and by proper religious inſtructions in their families: for certain it is, that if the prevailing and increaſing immorality and profligacy is not checked, the licentiouſneſs of the times will produce univerſal anarchy and confuſion, and will at length ſap the foundations of the ſtate.

For the purpoſe of elucidating, in ſome degree, the vaſt extent of this profligacy and wickedneſs, and the effects it produces in the perpetration of crimes of every ſpecies and denomination, the following eſtimate has been made up from information derived from a variety of different channels. —It exhibits, in one view, the ſuppoſed aggregate of the various depredations committed upon the public in the metropolis and its environs, in the courſe of a year.

The intelligent reader will perceive at once, that in the nature of things it cannot be perfectly accurate; becauſe there is no preciſe data upon which ſuch an eſtimate can be formed: but if it approaches in any degree near the truth, which the Writer firmly believes (from the documents which have come under his conſideration); it will fully anſwer the purpoſe of elucidating a great and prominent feature in the Police of the metropolis, from

from which many uſeful and important concluſions may be drawn, favourable to thoſe improvements which are felt to be neceſſary, by all ranks of the community, but hitherto underſtood by very few.

An Eſtimate of the Annual Amount of the Depredations committed on Public and Private Property in the Metropolis and its Vicinity, IN ONE YEAR. *Specifying the Nature of ſuch Depredations under ſix different Heads.*

1. *Small Thefts,* committed in a little way by *menial Servants, Chimney Sweepers, Duſtmen, Porters, Apprentices, Journeymen, Stable Boys, Itinerant Jews, and others,* from *dwelling-houſes, ſtables, out-houſes, warehouſes, ſhops, founderies, workſhops, new buildings, public-houſes,* and in ſhort, every other place where property is depoſited, ſpecifically eſtimated and ſubdivided as follows:

	Tons	£
Articles of new and old iron and ſteel - -	5000	100,000
Idem of new and old braſs - - - - - -	1500	150,000
Idem of new and old copper - - - - -	1000	120,000
Idem of new and old lead - - - - - -	2500	50,000
Idem of new and old pewter, ſolder, and tin	300	35,000
Idem of pewter pots, ſtolen from 5204 publicans - - - - - - - - - - - -	500	55,000
Idem in ſmall articles of plate, china, glaſs-ware, ſadlery, harneſs, and other portable articles of houſe and table furniture, books, and liquors, &c. &c. &c. - - - - - - - -		100,000
Idem, piece-goods from ſhops and warehouſes, by ſervants, porters, &c. - - - - - - - -		50,000
Idem, wearing apparel, bed and table linen, &c. -		40,000
	Carried over	700,000

Brought over £700,000

Idem, ſilk, cotton, and worſted yarn, embezzled by Winders and others in Spitalfields, &c. formerly £20,000. a year, now ſuppoſed to be 10,000

£710,000

2. *Thefts upon the River and Quays*, committed in a little way on board of ſhips in the River Thames, when diſcharging their cargoes, and alſo upon the Wharfs, Quays, and warehouſes when the ſame is landing, weighing, and ſtoreing, by glutmen, lumpers, jobbers, labourers, porters, lightermen, boys called mud-larks, and others employed, or lurking about for plunder.

Articles in raw ſugar, rum, coffee, chocolate, pimento, ginger, cotton, dye-woods, and every other article of Weſt-India produce - - - 150,000

Idem, in Eaſt-India goods, and merchandize from the Mediterranean, America, the Baltic, &c. &c. &c. - - - - - - - - - - - - 250,000

Idem, in ſhip ſtores and tackling, including cordage, ſails, tar, pitch, tallow, proviſions, &c. - 100,000

£500,000

3. *Thefts and Frauds* committed in His Majeſty's dock-yards, and other public repoſitories, ſituated on the River Thames, including the plunder, pillage, and frauds, by which public property (excluſive of metals) is embezzled in the ſaid ſtores, and from ſhips of war, excluſive of the frauds, plunder and pillage, in the dock-yatds, and from ſhips of war at Chatham, Portſmouth, Plymouth, &c. which is enormous at all times, but eſpecially in time of war, when public property is unavoidably moſt expoſed, equal at leaſt to £700,000. a year more, making in all, one million ſterling at leaſt - - - - - - £300,000

Plymouth,

4. *Depredations* committed by means of burglaries, highway-robberies, and other more atrocious thefts, viz.

1. Burglaries by houſebreakers in plate, and other articles - - - - - - - -	ſuppoſed	100,000
2. Highway robberies in money, watches, bank-notes, &c. - - - - - - - - -	idem	75,000
3. Private ſtealing and picking of pockets, &c.	idem	25,000
4. Stealing cattle, ſheep, poultry, corn, provender, potatoes, &c. &c. - - - - -	idem	20,000
		£220,000

5. *Frauds* upon the public annually by the coinage and fabrication of baſe Money, counterfeited of the ſimilitude of the current gold, ſilver and copper coin of the Realm - - - ſuppoſed £200,000

6. *Frauds* upon the public by counterfeiting bills and notes, by ſwindling and obtaining money and goods by falſe pretences - - ſuppoſed £70,000

RECAPITULATION.

1. Small Thefts — — —	£710,000
2. Thefts upon the Rivers and Quays —	500,000
3. Thefts in the Dock-Yards, &c. on the Thames -	300,000
4. Burglaries, Highway-Robberies, &c. —	220,000
5. Coining baſe Money — —	200,000
6. Forging Bills, Swindling, &c. — —	70,000
Total Eſtimate	£2,000,000

This eſtimate (imperfect and uncertain as it may be) has been formed under an impreſſion upon the mind of the Author, ariſing from a variety of concurrent circumſtances, that upon the whole, it is under the real loſs ſuſtained annually by the machinations of criminal people.

It exhibits a melancholy picture of the general depravity which prevails, and which is heightened in a conſiderable degree by the reflection, that among the phalanx who compoſe the miſerable catalogue, are to be numbered perſons, who from their rank and ſituation in life would ſcarce be ſuſpected of either committing or conniving at the commiſſion of frauds, ſo as to enrich themſelves at the expence of the nation.

Avarice is ever an eager, though not always a clear-ſighted paſſion: and when gratified at the expence of violating the ſoundeſt principles of morality and juſtice, a ſting muſt remain behind, which no affluence,—no pecuniary gratification can afterwards take away.

In contemplating theſe ſtrong features, marking in ſo great a degree the depravity of the human character, it cannot eſcape the intelligent reader, how ſmall a proportion of the annual depredations upon public and private property are to be placed to the account of that claſs of people who alone attract notice from the force and violence they uſe, namely, *common thieves and pick-pockets, and highway and footpad robbers.*—But for this eſtimate, it could not have been believed that the depredations of theſe criminal people, to whoſe charge the whole

preſſure

preſſure felt by the public has been laid, forms ſo ſmall a proportion of the property annually plundered, ſtolen, embezzled, or acquired by a thouſand different ways, by means *unlawful*, *unjuſt*, and *immoral*, in this great metropolis.

CHAP. II.

The cauſes and progreſs of ſmall Thefts explained, and ſhewn to ariſe from the numerous Receivers of Stolen Goods, under the denomination of Dealers in Rags, Old Iron, and other Metals.—The vaſt increaſe of theſe Dealers of late years.—Their evil tendency, and the abſolute neceſſity of Regulations to prevent the enormous Miſchiefs ariſing from the Encouragements they hold out to perſons of every age and deſcription, to become Thieves, by the purchaſe of whatever is offered for ſale.—A remedy ſuggeſted.

IN the preceding Chapter the ſmall thefts committed by perſons not known to belong to the fraternity of Thieves, are eſtimated to amount to the enormous ſum of £710,000. a year!

This

This diſcovery was originally made through the medium of a conſiderable dealer in Rags and Old Iron, and other Metals, who communicated to the Author a vaſt deal of intereſting information, confirmed afterwards through other channels, the ſubſtance of which is hereafter detailed: namely,

1. That there exiſts in this metropolis, (and alſo in all the towns where his Majeſty's dock-yards are eſtabliſhed) a claſs of Dealers, of late years become extremely numerous, who keep open ſhops for the purchaſe of *Rags, Old Iron, and other Metals.*

2. That theſe Dealers are univerſally, and almoſt without a ſingle exception, the Receivers of Stolen Goods of every denomination, from a nail, a ſkewer, a key, or a glaſs bottle, up to the moſt valuable article of portable houſhold goods, merchandize, or any article whatſoever.

3. That they are divided into two claſſes:—*Wholeſale* and *Retail Dealers*. That the retail Dealers are generally the purchaſers in the firſt inſtance, from the pilferers, or their agents, and as ſoon as they collect a ſufficient quantity of iron, copper, braſs, lead, tin, pewter, or other metals, worthy the notice of a large Dealer, they diſpoſe of the ſame for ready money, by which they are enabled again to continue the trade.

4. That the increaſe of theſe old iron, rag, and ſtore ſhops has been aſtoniſhing within the laſt twenty years:—from about *three or four hundred*, they have multiplied in this

this ſhort period to upwards of *three thouſand*, in the metropolis alone!

5. That although theſe ſhops (which are now to be ſeen in every ſtreet and bye-lane of the capital) exhibit only a beggarly appearance of old iron to public view, it frequently happens that they have large premiſes behind, where many rich articles of merchandize, but more particularly ſecond-hand metals, compoſed of various houſhold and ſhip's articles, moſt of which have been pilfered in a little way, are to be found, and which have been purchaſed by theſe dealers, often by falſe weights, and always under circumſtances where they make an immenſe profit.

6. That the facilities which theſe old iron ſhops afford to *menial ſervants in private families*, to *apprentices, journeymen, labourers in the founderies, warehouſes and work-ſhops of manufacturers, artiſans, and tradeſmen* of every deſcription, by receiving and paying down money for every article that is brought them without aſking a ſingle queſtion, has been the means of debauching the morals of a vaſt body of the lower orders of the people, young and old, and of carrying the ſyſtem of pilfering in a little way, to an extent which almoſt exceeds credibility.

7. That as the leaſt trifle is received, the vigilance of the parties from whom the articles are ſtolen is generally eluded, by the prevailing practice of taking only a ſmall quantity of any one article at a time.

8. That

8. That the articles thus received are generally purchaſed at about one-third the real value, and ſeldom above a half:—glaſs bottles in particular, are bought at one penny each, and no queſtions aſked:—they are afterwards ſold to dealers in this particular branch, who aſſort and waſh them, and again re-ſell to inferior wine-dealers at nearly the full value:—this has become, of late, an extenſive line of trade.

9. That other facilities are afforded by the dealers in old iron, in the collection of metals, rags, and other articles purloined and ſtolen in the country, and conveyed to town by means of *ſingle-horſe carts*, which are kept by itinerant Jews, and other doubtful characters, who travel to Portſmouth, Chatham, Woolwich, Deptford, and places in the vicinity of London, for the purpoſe of purchaſing metals from perſons who are in the habit of embezzling the King's ſtores, or from dealers on the ſpot, who are the firſt receivers, from whom *copper bolts*, *nails*, *ſpikes*, *iron*, *braſs*, *lead*, *pewter*, and other ſhip's articles of conſiderable value are procured.---Theſe ſingle-horſe carts have increaſed greatly of late years, and have become a very profitable line of buſineſs to the proprietors.

10. That it is a known fact that ſome of theſe dealers in old metals, keep men employed in knocking the broad Arrow, or King's mark, out of the copper bolts, nails, and bar iron, whereon it is impreſſed, and alſo in cutting ſuch bar iron into portable lengths, after which it is ſold to the great dealers, who in this way are in ſome inſtances ſuppoſed to ſell the ſame article to the public Boards *two* or *three* times over.

11. That

11. That the trade thus carried on, is exceedingly productive both to the retail and wholeſale dealers, many of whom are become extremely opulent, and carry on buſineſs to the extent of from ten to thirty, and in ſome few inſtances, fifty thouſand a year in old metals alone!

12. That the quantity of new nails taken from the public repoſitories, and from private workſhops, and diſpoſed of at the old iron ſhops is ſaid to exceed credibility.

13. And finally, that the retail dealers in old iron, with ſome exceptions, are the principal purchaſers of the pewter pots ſtolen from the publicans, which they inſtantly melt down (if not previouſly done) to elude detection.

Thus it is that the lower ranks of ſociety are aſſailed on all hands, and in a manner allured to be diſhoneſt, by the temptations in the firſt inſtance which the amuſements and diſſipations of a great capital, and the deluſion of the Lottery hold out, creating a deſire to poſſeſs money often to gratify *imaginary*, and too frequently *criminal* wants.

Theſe facilities are the chief cauſes of the petty theſts which conſtitute the vaſt aggregate of £700,000. a year, already ſtated in the firſt article of the eſtimate, and it is ſurely a conſideration of great importance as a matter of ſtate policy, *by*

what means ſuch an enormous evil is to be prevented?

Its rapid growth within the laſt twenty years, and the effect it has upon the morals of a vaſt number of menial ſervants and others in this great metropolis, who muſt in the nature of things have a certain truſt committed to them, is a ſtrong reaſon why ſome effectual remedy ſhould be adminiſtered as ſpeedily as poſſiſible, to prevent ſuch temptations from being held out.

It would ſeem, under all circumſtances, that the regulation of theſe iron ſhops by licence, and by other reſtrictions connected with the public ſecurity, has become an object of immediate neceſſity, for it is a dreadful thing to reflect that there ſhould exiſt and grow up in ſo ſhort a period of time ſuch a horde of criminal dealers, who are permitted to range *ad libitum*, exerciſing all the miſchievous part of the functions of pawnbrokers, and enjoying equal benefits, without any of the reſtrictions which the public intereſt has made it neceſſary to extend to this laſt claſs of dealers, who alſo require further regulations, which will be hereafter diſcuſſed.

But beſides the dealers in *old iron*, it will be neceſſary to extend the regulations to dealers in

ſecond-

ſecond-hand wearing apparel, whether *ſtationary* or *itinerants*; for through this medium alſo, a vaſt deal of bed and table linen, ſheets, wearing apparel, and other articles, pilfered in private families, are diſpoſed of, and money obtained, without aſking queſtions, with the ſame facility as at the iron ſhops.

To prevent metals from being melted by receivers of ſtolen goods, and other perſons keeping crucibles and ſmelting veſſels, by which means the moſt infamous frauds are committed, in eluding juſtice, by immediately melting plate, pewter pots, and every kind of metal that can be identified; It may be alſo neceſſary to regulate, by licence, all *founde·s of metal*, and alſo the horſe and truck carts uſed for the purpoſe of conveying old metals from place to place; ſo as, upon the whole, to eſtabliſh a *mild, but complete ſyſtem of prevention*, by limiting the dealers in old metals and ſecond-hand wearing apparel, to the honeſt and fair part of their trade, and by reſtraining them with regard to that which is fraudulent and miſchievous.

At preſent theſe reſpective dealers may truly be ſaid to be complete peſts of ſociety.—They are not, like pawnbrokers, reſtrained as to the hours of receiving or delivering goods.—Their dealings are

often in the night time, by which means they enjoy every opportunity of encouraging fraud and diſhoneſty.

It is impoſſible to contemplate the conſequences ariſing from the ſeduction of ſo many individuals, young and old, who muſt be implicated in the crimes which theſe abominable receptacles encourage, without wiſhing to ſee ſo complicated and growing a miſchief engage the immediate attention of the Legiſlature, that a remedy may be applied as early as poſſible.

CHAP. III.

The Subject purſued.—The Means uſed in perpetrating Small Thefts upon the River Thames.—The ſyſtematic Facilities which are afforded by Receivers of Stolen Goods of various denominations, in connection with the plunderers on the River.—A Remedy propoſed.

THE immenſe plunder and pillage of merchandize and naval ſtores upon the River Thames has long been felt as a grievance of great magnitude, preſſing exceedingly upon the Commerce of the Country, and deeply affecting the intereſt of the Weſt-

Weſt-India Planters, as well as every deſcription of merchants and ſhip-owners, trading to or from the port of London.

The ſubject of this Chapter will therefore be confined to a detail of the means by which theſe robberies are perpetrated, and to the remedy which appears to be beſt adapted to the cure of ſuch an enormous and growing evil: for certain it is that the increaſe has been regular and progreſſive, and that the facility and eaſe with which property of this ſort is obtained and diſpoſed of, occaſions an acceſſion of plunderers every year.

The prevailing practice of diſcharging and delivering the cargoes of ſhips by a claſs of aquatic labourers, known by the name of *lumpers*, is one principal cauſe of the evil ſo ſeverely felt, but it is not the only cauſe.

A conſiderable proportion of theſe labourers* have formed connections with various purchaſers or receivers of whatever is ſtolen or pilfered, as well as with other aſſociates, by which they acquire conſiderable facility and aſſiſtance in carrying on and in concealing a ſyſtem of the

* It is not here meant to criminate the whole of the lumpers.—It is ſincerely to be hoped, that the chief part of the Maſters of the gangs may be pure, and perhaps a proportion of thoſe they employ.

moſt

moſt ſhameful depredation, in which from practice and experience they become adepts; and ſanctioned as they are by habit and cuſtom, and by being too often ſcreened from detection and puniſhment, by thoſe whoſe immediate duty it is to watch over their nefarious practices, they conſider it as a kind of right which attaches to their ſituation, to plunder wherever an opportunity offers.

To thoſe whoſe habits of life do not lead them into inveſtigations of this kind, the detail which is now to be given, will appear either incredible or greatly exaggerated: but whoever conſiders for a moment the vaſt extent of the trade of the metropolis, and the multitude of veſſels laded and diſcharged in the River Thames, will find upon due inquiry that £500,000, ſtated in the ſecond article of the eſtimate as the amount of the annual plunder, is by no means over-rated.—It certainly exceeds that ſum conſiderably.—Some intelligent perſons have given it as their opinion, that it cannot be leſs than one million ſterling a year!

The cargoes of the Weſt India ſhips are the principal objects of attention with the lumpers, who are ſuppoſed upon an average to plunder from each ſhip to the extent of ten hundred weight of ſugar a day, during the period of the diſcharge.

Theſe

Theſe aquatic labourers are for the moſt part in connection with the journeymen Coopers, who are alſo ſuppoſed to ſhare in the plunder.—They generally go on ſhore three times a day, and being *in a body together*, it is difficult, and even not very ſafe for a Trinity or Police officer to attempt to ſearch or to ſecure even one of them.—By the contrivance of a thin ſack ſuſpended by ſtrings from the ſhoulders, and placed under the waiſtcoat, a ſurpriſing quantity of ſugar is carried away, which to the ſuperficial obſerver exhibits only the appearance of the natural protuberance of the belly.—Others who are not provided with ſuch ſacks, fill their hats, pockets, and even their breeches with large quantities of raw ſugars, a truth which has been often aſcertained by officers of juſtice who have apprehended them (*ſo loaded,*) under the authority of the Bum-boat Act.

The fraudulent part of theſe *lumpers* having from long practice eſtabliſhed a prompt and ſyſtematic plan of ſale, proceed immediately with their plunder to thoſe who they know will purchaſe without aſking queſtions.—Namely, little grocers, publicans, and dealers in old iron, and what is called *hand ſtuff and old ſtores*, the latter claſs being inhabitants of the ſtreets bordering on the river, where they are extremely numerous and encreaſing every day, and being on the ſame footing with iron ſhops, are likewiſe proper objects for ſimilar regulations.

Beſides

Beſides the depredations which theſe aquatic plunderers make upon the property of their employers, in the manner already deſcribed, they practiſe another device, by connecting themſelves with men and boys, known by the name of *mud-larks*, who prowl about, and watch under the ſhip when the tide will permit, and to whom they throw *ſmall parcels of ſugar*, *coffee*, and other articles of plunder, which are conveyed to the receivers by theſe *mud-larks*, who generally have a certain ſhare of the booty.

Beſides theſe aſſociates in villainy, ſcullers and other boats are conſtantly hovering about and under the diſcharging ſhips, upon pretence of carrying paſſengers and baggage, into which handkerchiefs of ſugar and coffee, bladders of rum, kegs of tamarinds, and even ſacks of wheat or flour, and in ſhort every portable article that can be ſafely plundered, are paſſed through the ſcuttles and port holes of the ſhips, and immediately concealed and covered by the pretended watermen, who, if purſued by the Trinity or other officers, generally ſink the goods to avoid the penalties of the law; but for the moſt part theſe adepts find means to elude the vigilance of the officers, and to convey the plunder under the regular ſyſtem they have eſtabliſhed, to their friends the receivers, who being under no reſtraint, immediately

ly cover and protect the depredators from hazard of puniſhment.

But there are other modes by which the property of the merchants is ſaid to be embezzled and plundered, even to a greater extent than by the *lumpers*, the *mud-larks*, or the *pretended watermen*.

The depredations alluded to are made by what may be denominated gentlemen plunderers, or perſons who keep ſmall *timber-yards*, ſmall *hemp and ſtore ſhops*, *Spirit dealers* and *ſmall grocers*, who inſinuate themſelves into the good graces of perſons who are known to have ſome truſt on board of ſhips which are under diſcharge, and who keep boats and ſervants for the purpoſe of plundering on a more enlarged ſcale, by which many of them make fortunes in a few years:—Theſe being more latent, are not ſo generally known, although from the extent of their dealings they are far more pernicious than the lumpers or the mud-larks.

The operations of this claſs generally commence during the night, or at thoſe intervals when the dicharge of a ſhip is ſuſpended for want of craft, by drawing off rum and other liquors with cranes made on purpoſe, and conveyed into bladders containing from two to ſix gallons each. Theſe blad-

ders are immediately put into the boats which are in attendance, together with quantities of ſugar, coffee, and other portable articles, according to the nature of the cargo, which are conveyed to an appointed place, having perſons planted on ſhore to give notice by a particular ſignal or watch-word when the cargo may be ſafely landed.

Inferior officers of the Cuſtoms, and particularly that claſs of ſupernumerary tideſmen who are employed, *pro tempore*, when there is a preſs of buſineſs, and who, from that circumſtance, are called *glutmen*, are ſuppoſed to connive, as well as ſome of the ſtationary officers, at improper practices, and alſo to ſhare in the plunder; nor is this much a matter of wonder, when it is conſidered that theſe *glutmen* are generally compoſed of perſons who are without employment, and being alſo without character, recommend themſelves principally from the circumſtance of being able to write.

Theſe various and complicated ſyſtems of pillage and plunder are proved to exiſt from the conſtant and unaccountable deficiencies which are manifeſt in almoſt every cargo that is diſcharged; but more particularly, Weſt-India cargoes, where the ſhip-owners have often ſums of money to pay on this account.

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The exiſtence of the evil is alſo manifeſt, in a great degree, from the ſeizures that are made, not only by the officers of the Cuſtoms and Exciſe; but alſo, by the Trinity and Police officers, under the *Act of the 2d of his preſent Majeſty, for preventing Thefts and Frauds by perſons navigating bumboats and other boats, on the River Thames.*

But the miſchief is not merely confined to aquatic plunders; ſince it is well known, that every public wharf and quay, where goods of any deſcription are loaded or landed, is filled with hordes of criminal people, diſcharged by acquittals, or by goal-deliveries, or perſons who, having loſt all character for honeſty, can find no maſter who will give them employment.

Theſe depraved characters prowl about the wharfs, quays, and warehouſes, under the pretence of aſking employment as porters and labourers: but whoſe chief object is to pillage and plunder whatever comes in their way, and for this purpoſe, they are conſtantly upon the watch.

It rarely happens, that a Magiſtrate, in inveſtigating the hiſtory and employment of an idle or ſuſpicious character, or Lottery vagrant, does

not find that they have either worked at the water-ſide, or if of a ſuperior caſt, that they have been employed as cuſtom-houſe officers, meaning thereby, that they were *glutmen*, as already explained.

The evil is certainly of great magnitude; and when it is conſidered, that it extends to the tackle and apparel of ſhips and veſſels lying in the Thames, as well as to their cargoes; it becomes a matter of important conſideration by what means it is to be remedied?

No doubt can be entertained but the reſtrictions by licence and other regulations, which are propoſed to be extended to *old iron*, *rope*, *rag*, and *ſtore ſhops*, who may be truly ſaid to be the manufacturers and nouriſhers of thieves, from the child of tender years to the aged adult, would go a great way to cure the evil: but there ſeems, in this caſe, to be a collateral ſyſtem neceſſary to aid ſuch regulations, which will perhaps depend more on meaſures which may be adopted by the merchants and ſhip-owners themſelves, than by any legiſlative regulation.—Such as appointing a confidential perſon to lock up the hatches and bulk-heads of all veſſels under diſcharge, in the evening, and to open them again in the morning, ſo that no perſon

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can get acceſs to the cargo during the night, and alſo, that a confidential perſon ſhall conſtantly attend on board, with an officer of juſtice, who ſhall ſearch all lumpers, glutmen, and others, as often as they depart from the ſhip; or application might be made to Parliament for the appointment of proper inſpectors, finding good ſecurity, and who ſhould, with their aſſiſtants, for whom they ſhould be reſponſible, attend the delivery of each cargo, and ſecure the hatches every evening.—The revenue being greatly injured by the plunder and pillage which at preſent prevails, Government becomes intereſted, together with the merchants, in applying a remedy.

The object of prevention is by no means impracticable;—it only requires exertion and perſeverance: and when it is conſidered, that beſides the protection of ſo vaſt a property as muſt be annually ſaved by a proper ſyſtem, ſeveral thouſands now engaged in theſe nefarious practices, will be compelled to become honeſt, and to truſt to the liberal wages ariſing from labour for their ſupport, in lieu of indulging themſelves in that profligacy and idleneſs, which is always the reſult of crimes ariſing from the eaſe and facility by which money is obtained;—it becomes a matter of the very firſt importance,

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not only to the commerce of the country; but alſo to the beſt intereſts of the ſtate, that ſome effectual meaſures of *prevention* ſhould be adopted as early as poſſible.

CHAP. IV.

Reflections on the Cauſes of the prevailing Abuſes, Frauds, Plunder, and Pillage in the Navy, Victualling and Ordnance Departments, in Ships of War and Tranſports, and in the Dock-Yards and other Public Repoſitories.—A Summary View of the exiſting Laws applicable to theſe Objects.—Their Deficiencies explained, with Obſervations on the Means of improving them.—The exiſting Abuſes analized.—Remedies propoſed and explained.

UNDER the preſſure of thoſe accumulated wrongs, which conſtitute the extenſive frauds, embezzlements, pillage, and plunder, known and acknowledged to exiſt in the dock-yards and other public repoſitories, it is not eaſy, at firſt view, to aſſign a reaſon for that apparent ſupineneſs on the part of men of known honor and integrity, who have heretofore preſided, and who now preſide at the

the public Boards, in not uſing the means neceſſary to remedy ſo great an evil.

It may poſſibly be accounted for by the extreme difficulty which men, conſtantly occupied in a laborious buſineſs, find in purſuing enquiries, or forming arrangements out of their particular ſphere; and more eſpecially when ſuch arrangements require thoſe powers of buſineſs, as well as that ſpecies of legal and general information, which does not attach to men whoſe education and habits of life have run in a different channel.

Under ſuch circumſtances, it is ſcarce to be wondered at, that greater efforts have not been uſed (for great efforts are unqueſtionably neceſſary) to correct thoſe abuſes which have long exiſted and which have been progreſſively increaſing, under circumſtances where the property of the public not only ſuffers a vaſt annual diminution by frauds and embezzlements, but where ſuch practices ſap the foundation of all morals, and extend their baneful influence even to men in the upper and middle ranks of ſociety, who are too ſeldom reſtrained by any correct principle of rectitude in their tranſactions, where public property is the object.

Theſe principles, it is to be feared, pervade a conſiderable majority of thoſe who either furniſh

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in the firſt inſtance, or are afterwards charged with the cuſtody of public ſtores.

When the object in view is to acquire money, the power of example, ſanctioned by uſage and cuſtom, will reconcile the mind of man, by degrees, to enormities and frauds which at firſt could not have been endured.—Acting under this influence, it too often happens that a diſtinction is made on the ſcore of moral rectitude in the minds of many individuals, between *the property of the nation*, and *private property*.—While the moſt ſcrupulous attention to the rules of honor prevails in the latter caſe, principles, the moſt relaxed, are yielded to in the former.

And thus it is, that in ſuch ſituations, the minds of many inferior agents become inſenſibly reconciled to every ſpecies of fraud, embezzlement, and peculation.

Enormous gratuities are given, under the colour of fees, to thoſe who can aſſiſt in promoting the views of the fraudulent, or in guarding them againſt detection.—What was at firſt conſidered as the wages of turpitude, at length aſſumes the form, and is viewed in the light of a fair perquiſite of office.

In this manner abuſes multiply, and the ingenuity of man is ever fertile in finding ſome palliative. —Cuſtom and example at length ſanction the greateſt enormities.

Thus fortified by immemorial and progreſſive uſage, the ſuperior officers find it an Herculean labour to cleanſe the Augean ſtable.

A phalanx of intereſted individuals oppoſe them.—The taſk is irkſome and ungracious.—The enquiry involves in it matter of deep concern, affecting the peace, comfort, and happineſs of old ſervants and their families, who have been always ill paid, and who, but for ſuch perquiſites, could not have acquired property, or even ſupported themſelves with decency.

It is an invidious taſk to interfere with regulations which may ultimately affect the intereſt or the character of individuals, who have heretofore perhaps been regarded as objects of partiality or affection :—and thoſe whoſe duty it is to ſuperintend theſe departments, knowing their own purity, are unwilling to believe that the ſame principle of rectitude does not regulate the conduct of others in inferior ſituations.

Unwilling alſo to diſturb the emolument of the ſubordinate ſervants of the Crown, who are otherwiſe not ſufficiently remunerated; while matters, of apparently greater importance, conſtantly preſs upon their attention, the conſideration of ſuch abuſes is generally poſtponed; and thoſe who complain of their exiſtence, ſeldom meet with much encouragement, unleſs ſome ſpecific act of criminality is ſtated, and then it is referred, as a matter of courſe, to the proper law officers.

Theſe circumſtances, however, only prove the neceſſity of ſome other and more effectual agency to remove *an evil*, which, (if the aſſertions of thoſe whoſe official ſituations give them acceſs to the very beſt information as to its extent and enormity, are correct,) *is of the greateſt magnitude*, and calls aloud for the immediate attention of the executive government.

Theſe aſſertions lead to a concluſion, that the frauds upon the public, including the embezzlements, pillage, and plunder of the public ſtores at Portſmouth and Plymouth alone, amount nearly to *One Million ſterling a year during war*, and to half that ſum *in time of peace*.

Incredible as this may appear at the firſt bluſh,

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it will not, upon reflection, aided by a minute and accurate knowledge of circumſtances, turn out to be an exaggerated eſtimate.

But whether it ſhall be preciſely accurate or not, is of the leſs conſequence, ſince it ſtands admitted as an incontrovertible fact, *that the evil is enormous*, and that the preſſure upon the public, ariſing from the exiſting abuſes, is encreaſing every year.

A remedy therefore ought to be adminiſtered :— and it becomes the peculiar duty of Magiſtrates, who may have had acceſs collaterally to develope theſe abuſes in the detection of offenders diſpoſing of public property not only to expoſe them, but to ſuggeſt what ſhall occur as the beſt means of prevention.

To underſtand how this is to be accompliſhed it will be neceſſary to examine the nature and effect of the exiſting laws made for the protection of his Majeſty's naval and military ſtores.

The Acts of the 31ſt of Elizabeth, and the 22d of Charles 2d, made it felony, without benefit of Clergy, to ſteal or embezzle any of his Majeſty's military or naval ſtores or proviſions, above the value of Twenty Shillings.

By the 9 and 10 of William, the receivers of embezzled ſtores, or ſuch as ſhould have the ſame in their cuſtody, are ſubject to a penalty of £200.

From this period, till the 1ſt of George the Second, the attention of the legiſlature does not ſeem to have been directed to this object, when by this ſtatute the principal officers or commiſſioners of the navy are authoriſed to iſſue warrants to ſearch for public property ſtolen or embezzled, and to puniſh the offenders by fine or impriſonment.

A ſucceeding act made the 9th year of the ſame reign, empowered the Judges to mitigate the fine of £200 impoſed on perſons having in their poſſeſſion public ſtores, and to puniſh the offenders corporally by cauſing them to be publickly whipped, or kept at hard labour for ſix months in the Houſe of correction, which certainly was a great improvement,

The laws on this ſubject were further amended by the 9th of his preſent Majeſty, when the *Treaſurer*, *Comptroller*, *Surveyor*, *Clerk of the Acts* or any Commiſſioner might act as Juſtices in cauſing offenders to be apprehended and proſecuted.—Theſe powers were given with a view to eſtabliſh a greater degree of energy in detections:—but experience has ſhewn that the purpoſe has not been anſwered.

The laſt act which relates to the protection of the public ſtores was made the 12th year of his preſent Majeſty's reign, and related ſolely to burning naval, military, or victualling ſtores, in any of the dominions of the crown, which is made felony without benefit of Clergy.

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A very ſuperficial veiw of the ſubject will demonſtrate the inſufficiency of thoſe enumerated laws to the object of *prevention*. And even if they were complete, the taſk impoſed on the public officers, who are on every occaſion to act as Juſtices, has proved from experience to be a meaſure ill calculated to attain the object in view, namely, the detection of offenders, otherwiſe the evil would not have encreaſed.

If the ſyſtem of regulating the dealers in old metals, and ſecond-hand naval ſtores and hand-ſtuff ſhall be adopted and become a general law, or if it ſhall be extended to the places within ten miles of every Dock-yard it would have a moſt powerful operation in preventing many of the abuſes which are now practiſed, provided alſo that the Act of the 2d. of his preſent Majeſty, *entitled an Act to prevent committing of frauds and thefts, by perſons navigating bum-boats, and other boats on the River Thames,* be extended to Sheerneſs, Chatham, Portſmouth and Plymouth, with ſuch alterations and amendments as ſhall apply to local circumſtances.

And if in order to give vigor and energy to the execution of theſe propoſed laws; and the laws now in being with ſuch amendments as ſhall hereafter be propoſed, a Police-Office, with two able, intelligent, and active Magiſtrates of tried virtue and integrity, ſhall be eſtabliſhed at each of the dock-

dock-yards, with proper officers under their direction, the multitude of perſons who now ſupport themſelves by plunder would be compelled to become honeſt, while the ſaving to the Nation would exceed all calculation.

It may now be proper to enter into ſome detail of the prominent abuſes which exiſt, in order to elucidate what has already been ſtated as well as what is to follow in the ſhape of a remedy.

Theſe abuſes are multifarious and are perpetrated through the medium of a vaſt variety of agencies, which naturally divide themſelves into two diſtinct branches.

The firſt relates to frauds which are committed by the connivance and aſſiſtance of clerks, ſtore-keepers, and inferior officers in the Dock-yards and other repoſitories, and in ſhips of war and tranſports, *in receiving and delivering Naval, Victualling, and Ordnance ſtores; in ſurveys; in returns of unſerviceable ſtores; in* what is called *ſolving off ſtores; in fraudulent certificates; in the ſale of old ſtores;* and by innumerable devices which conſtitute a great aggregate in the courſe of a year. thereby enriching a number of individuals at the public expence, by a ſyſtem of plunder perpetrated by means of fraudulent documents and vouchers of articles which have no exiſtence but upon paper.

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The ſecond relates to actual pillage of *new and old Cordage, Bolts of Canvas, Sails, Bunting, Twine of all ſorts, Fearnought and Kerſey, Leather and Hides, old and new Copper, Locks, Hinges and Bolts, Copper Bolts and Nails in immenſe quantities, Bar-Iron, old Iron, Lead and Solder, Ships Plank, Oars, Timber of ſmall ſizes, Blocks, Quarter-Stuff, Candles. Tallow, Oil, Paint, Pitch, Tar, Turpentine, Varniſh, Roſin, Beer and Water Caſks, Iron Hoops, Biſcuit-Bags, Beer, Bread, Rum, Oil, Vinegar, Butter, Cheeſe, Beef, Pork, &c.*—all which articles ſuffer a vaſt annual diminution by means of that regular ſyſtem of plunder which has become habitual to a number of the inferior ſervants of the Crown, who have in their reſpective ſituations, acceſs to ſuch ſtores,* in which they are encouraged from the difficulty of detection, inaſmuch as no annual inventory is ever taken of the public property. Vaſt quantities are conſtantly provided, the ſtore-houſes are generally full, from which circumſtance it happens as matter of courſe, that the articles which were recently depoſited are iſſued firſt, and hence it is,

* It is by no means to be inferred from what is here ſtated, that there are not both among the furniſhers and contractors for public ſtores, as well as the officers and clerks employed in the departments here alluded to, many individuals of great honor and integrity.—It is to be hoped, the fraudulent are the ſmalleſt, in point of number, and that they will ſoon ceaſe to be ſo.

that

that many valuable ſtores are ſaid to have remained untouched and unſeen for forty or fifty years, until a number of articles periſh or become unſerviceable from length of time. An annual inventory, rendered practicable by more extenſive ſtore-houſes, would remove this obvious inconvenience.

All ſtores being delivered under the authority of warrants ſigned by the commiſſioners and proper officers, the clerks, or in their abſence, the foremen of the warehouſes where the articles ſtated in the warrants are depoſited, deliver the ſtores, and if opportunities offer, large additional quantities, by the connivance of theſe inferior officers, are frequently ſaid to be ſent out of the repoſitories, and ſometimes ſtores are delivered three or four times over, under colour of the ſame warrant, without diſcovery.

A ſimilar ſyſtem prevails with regard to ſtores ſent to the public repoſitories from diſmantled ſhips of war and tranſports.

Many veſſels in the coaſting trade, and even ſhips of foreign nations, are ſaid to touch at Portſmouth and Plymouth merely for the purpoſe of purchaſing *cheap ſtores*:—and it is well known that many dealers in naval ſtores in the neighbourhood of the Dock-yards are chiefly ſupplied in this way.

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The ſyſtem which prevails at preſent with regard to the ſale of old ſtores, not only proves a kind of ſafeguard to theſe fraudulent dealers, but it is alſo ſubject to great abuſes, in the delivery of larger quantities not included in the public ſales, by which the parties, perpetrating this ſpecies of plunder, are ſaid to pocket conſiderable ſums of money.

The artificers in the dock-yards, availing themſelves of their perquiſite of Chips, not only commit great frauds through this medium, by often cutting up uſeful timber, and waſting time in doing ſo; but alſo in frequently concealing within their bundles of chips, copper bolts, and other valuable articles, which are removed by their wives and children*, and afterwards ſold to itinerant Jews, or to the dealers in old iron and ſtores, who are always to be found in abundance wherever the dock-yards are ſituated.

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* It would ſeem that the abolition of the perquiſite of Chips would be a great improvement, and prove the means of correcting many groſs abuſes which at preſent prevail in the different dock-yards, where it is eſtimated, that 3000 ſhipwrights are employed at the wages of 2s. 1d. with the privilege of one bundle of chips each day, which though not worth more than 6d. to each ſhipwright, actually coſts Government 1s. 6d. becauſe good and valuable timber is often cut down to make theſe chips.—The

The naval, victualling, and ordnance ſtores pillaged in the dock-yards and other public repoſitories, and alſo from ſhips of war in the River Thames, are eſtimated in the firſt Chapter at £300,000 a year.

The vicinity of the metropolis, joined to the various facilities which fraudulent people enjoy through the medium of old iron and ſtore ſhops on the ſpot;—of carts employed in this trade alone, conſtantly going and coming from and to the capital;—the advantage of an eaſy and ſafe conveyance of

following eſtimate will elucidate what has been ſtated, and ſhew the benefits which Government would probably derive from the abolition of this perquiſite, even if the wages ſhould be raiſed, which are perhaps too low at preſent.

3000 men, working 300 days in a year, will be entitled to 900,000 bundles of chips at 1s. 6d. -	£67,500
Time loſt to Government in making up theſe chips, equal to 6d. per day — —	22,500
Articles purloined and ſtolen, by being concealed within theſe bundles, and by women and children, who reſort to the yards on pretence of carrying them away, ſuppoſed —	50,000
	£140,000
Deduct 6d. a day additional wages, in lieu of the perquiſite of chips, which the ſhipwrights would conſider as an ample remuneration —	22,500
Preſumed gain by this arrangement	£117,500

ponderous

ponderous and heavy articles, by means of lighters and other craft paſſing up and down the River, and the extenſive chain of criminal connection, which a courſe of many years has formed, joined to the eaſe with which frauds are committed, have combined to render this nefarious traffic a very ſerious evil.

Among the multitude of criminal people who are concerned in it, ſome are ſaid to keep men conſtantly employed in untwiſting the cordage, for the purpoſe of removing the King's mark, or coloured ſtran, which is introduced into it as a check againſt fraud, while others (as has been already mentioned) are, in like manner, employed in knocking the Broad Arrow out of copper bolts, nails, bar iron, and other articles, on which it is impreſſed, ſo as to elude detection.

It would ſcarce be credited, to what an enormous extent the ſale of cheap cordage, ſail-cloth, and other naval articles is carried, in ſupplying coaſting veſſels and ſmaller craft upon the River Thames, which has been plundered in a variety of ways.

In addition to the remedies which have been propoſed by the extenſion of the bum-boat act, with applicable amendments, to the different dock-yards ſituated beyond the limits of the River Thames, and

by eſtabliſhing Police-Offices at Woolwich, Chatham, Portſmouth, and Plymouth, with proper boats and officers of juſtice, to watch the conduct and proceedings of fraudulent people, and to put the laws effectually into execution, it may be neceſſary to ſtrengthen the exiſting ſtatutes, by including in the propoſed Act of Parliament, the following regulations, including thoſe already propoſed: viz.

1. That all public ſtores found in the poſſeſſion of perſons employed under the Crown, in ſhips, dock-yards, or in public repoſitories, to be concluſive evidence of embezzlement.—*The puniſhment, Tranſportation.*

2. The poſſeſſion of ſtores having the King's mark, in the cuſtody or premiſes of any other perſon, to be evidence of receiving ſuch ſtores, knowing them to be ſtolen.—*The puniſhment, Tranſportation.*

3. The defacing any of the King's marks, or removing the ſame, or forging or counterfeiting the marks in canvas. —*Tranſportation.*

4. A power to Magiſtrates, to grant warrants to peace-officers to ſearch for King's ſtores, on oath being made of their being depoſited in any ſpecific houſe or place, to be ſtated in the information.

5. Rewards to be granted for apprehending all offenders under the exiſting laws for ſtealing or receiving the King's ſtores, to be paid according to the diſcretion of the Judge

Judge who tries the offence, and in no case to exceed £40.—nor to be under £10.

6. Regulations to be made relative to the sale of old stores, so as to prevent the purchase of such stores from being made a cover in the hands of receivers of stolen goods, for protecting stores fraudulently obtained.

7. Police Magistrates to be established with proper officers at Woolwich, Chatham, Portsmouth, and Plymouth.

8. The Act of the 2d of his present Majesty, known by the name of the Bum-Boat Act, to be extended to Sheerness, Chatham, Portsmouth, and Plymouth.

9. Regulations to be made, rendering it felony to alter, erase, or fabricate any documents, vouchers, books, accounts, or any writing, with an intent to defraud his Majesty, or to procure a quietus to any person having accounts to adjust with the Navy, Victualling or Ordnance, or Sick and Hurt Offices.

To render the system complete, and to guard the public against the frauds which take place in the receipt and the delivery of stores, and in surveys, a system of checks might be usefully introduced into the different dock-yards, upon the plan of what prevails in the Excise, with such variations as should be applicable to local circumstances; but as the Lords Commissioners of the Admiralty have full authority over their own servants, such regulations will require no new law.

But

But whatever may be judged expedient as the beſt means of preventing thoſe evils which are known to exiſt, it would ſeem indiſpenſibly neceſſary to place all the officers, artiſans, and ſervants in the naval departments, above the reach of thoſe temptations which conſtantly aſſail them by ſuch a liberal increaſe of ſalary or wages as would enable them to live comfortably according to their reſpective ſtations in life, and ſhield them againſt the neceſſity of yielding to any propoſition for the purpoſe of obtaining money at the expence of their honor or integrity.

The abolition of all perquiſites, fees, or gratuities in the navy departments, would, of courſe, follow the liberal increaſe of ſalaries, and would operate powerfully in promoting that chaſtity of conduct which ought to be the leading feature in the character of every perſon in whom any truſt, either public or private, is repoſed.

Nothing can be upon a footing more hoſtile to this chaſtity of conduct, than the prevailing practice of diſpoſing of clerkſhips in the dock-yards for a premium.

It is ſaid to be no uncommon thing to pay £300 for a ſituation, where the ſalary does not exceed

£30

£30 or £40 a year. It may fairly be aſked in what manner a perſon ſo ſituated is to reimburſe himſelf? The concluſion is obvious, and the reſult has been already explained, and may perhaps be ſtill further elucidated by ſtating the following fact.

An officer of juſtice, having diſcovered ſome inſtances of pillage and peculation going forward in the fraudulent removal of copper and other articles from a diſmantled ſhip of war, he complained to the ſtore-keeper in the dock-yard, whoſe province it was to have received thoſe articles into his charge, which were conveyed elſewhere.—He replied thus--

> " Damn it, mind your own buſineſs—Such
> " things have always been done, and will
> " continue, in ſpite of you or me :—It will,
> " at any rate, laſt our time."

The object and views however of the Author of theſe pages, are ſomewhat different from this *truſty ſervant* of the Crown, for the Suggeſtions now offered, lead to meaſures, which he hopes, will in time be the means of introducing ſuch Regulations into the ſyſtem of the Navy, Victualling, and Ordnance Departments, as will, by rendering the reſources of the Country productive in a much greater degree,

eſtabliſh

eſtabliſh that kind of permanency which will not only *laſt our own time*, but extend to many generations; while the ſame Regulations, by preſerving the morals of the people, will increaſe the happineſs and the ſecurity of all ranks in the Community.

CHAP.

CHAP. V.

General Reflections, arising from the perpetration of the higher and more atrocious crimes of Burglary, Highway-Robbery, &c.—These crimes more peculiar to England than to Holland or Flanders, &c.—The Reasons explained.—A general View of the different Classes engaged in Robberies and Burglaries, and of those discharged from Prisons and the Hulks:—Their miserable situation as outcasts of Society, without the means of Support.—The necessity of some Antidote previous to the return of Peace.—The means used at present by Thieves in accomplishing their nefarious Purposes.—Observations on thefts perpetrated by Persons stealing Cattle, Sheep, Corn, &c.—Receivers of stolen Goods shewn to be the Nourishers of every description of Thieves.—Remedies suggested, as the means of Detection and Prevention.

IT is impossible to reflect upon the outrages and acts of violence which are daily committed, more particularly in and near the metropolis, by lawless and highly-depraved characters, in

disturbing the peaceful mansion, *the Castle of every Englishman*, and also in abridging the liberty of travelling upon the public highways, in consequence of the interruption of these *ravagers of property*, and *destroyers of lives*, without asking—*Why are these enormities suffered in a Country where the Criminal Laws are supposed to have arrived at a greater degree of perfection than in any other?*

It is an important enquiry, interesting in the highest degree, to every member of the body politic.

If, in pursuing such an enquiry, the situation of Holland, Flanders, and several of the Northern States on the Continent shall be examined, it will be found that this terrific evil scarce has an existence: and, that the precaution of bolting doors and windows during the night, is even seldom used, although, in these Countries, from the opulence of many of the inhabitants, there are great temptations to plunder property.

This security does not proceed from *severer punishments*, for in very few Countries are they more sanguinary than in England.—It is to be attributed to a more correct and energetic system of Police, joined

joined to an early and general attention to the education and morals of the lower orders of the people; aided by a ſyſtem of induſtry and ſobriety, which becomes univerſally habitual in early life, and grows up with years.

Idleneſs is a never-failing inroad to criminality.—It originates generally in the inattention and the bad example of profligate parents.—When ſuch habits unfortunately take hold of the human mind, unneceſſary wants and improper gratifications, not known or thought of by perſons in a courſe of induſtry, are conſtantly generated, and hence it is, that crimes are reſorted to, and every kind of violence, hoſtile to the laws and to the peace and good order of ſociety, is perpetrated.

The criminal and unfortunate individuals, who compoſe the diſmal catalogue of highwaymen, foot-pad robbers, burglars, pick-pockets, and common thieves, who infeſt this great metropolis, may be divided into the following claſſes:

1. Young men of ſome education, who having acquired idle habits by abandoning buſineſs, or by being bred to no profeſſion, and having been ſeduced by this idleneſs to indulge in gambling and in ſcenes of debauchery and diſſipation, till at length exhauſted, with regard to the

means of profecuting ſuch courſes, they have recourſe to the highway to ſupply immediate wants.

2. Tradeſmen and others, who having ruined their fortunes and buſineſs by gaming and diſſipation, ſometimes as a deſperate remedy, go upon the road.

But theſe two claſſes are extremely few in number, and bear no proportion to the lower and more depraved part of the fraternity of thieves, who purſue the trade ſyſtematically.—Who conduct their depredations under ſuch circumſtances of caution, as to render detection extremely difficult, and whoſe knowledge of all the weak parts of the Criminal Law is generally ſo complete, as to enable them to elude juſtice, and obtain acquittals, evinced in a number of inſtances where old and hackneyed thieves are put upon their trial.---*Namely*——

3. 1ſt. Servants, hoſtlers, ſtable and poſt-boys out of place, who have acquired idle habits, and ſtudied the profeſſion of thieving.—2d. Perſons, who being impriſoned for debts, aſſaults, or petty offences, have learned habits of idleneſs and profligacy in gaols.—3d. Idle and diſorderly perſons, (mechanics and labourers) who having on this account loſt the confidence of their maſters or employers, reſort to thieving, as a means of ſupport, from all whom the notorious and hackneyed thieves generally ſelect the moſt truſty and daring to act as their aſſociates.—4th. Perſons who have been tried and acquitted of criminal offences charged againſt them, of which claſs there have been a vaſt number let looſe upon

upon ſociety within the laſt ten years.*—5th. Convicts diſcharged from priſons and the hulks,‡ after ſuffering the ſentence of the law: often inſtructed by one another in all the arts and devices which attach to the moſt extreme degree of human depravity, and the perfect knowledge of the means of perpetrating crimes, and of eluding juſtice.

For the purpoſe of forming ſome judgment of the number of perſons in this great metropolis, who compoſe, at leaſt, a part of the criminal phalanx engaged in depredations and acts of violence, it is only neceſſary to have recourſe to the following ſummary, but melancholy detail of the priſoners who have been diſcharged, within the laſt four

* Diſcharged from Newgate in

1786	575	1791	584
1787	611	1792	804
1788	542	1793	702
1789	614	1794	644§
1790	532	1795	578§
	2894		3312
			2894
		Total Priſoners	6206

§ *Beſides diſcharges for the Army and Navy.*

‡ Since the firſt inſtitution of the Hulks there have been diſcharged upon Society from Woolwich, Portſmouth and Langſton Harbour, *two thouſand five hundred and thirty Convicts.*

Viz. 1. By Expiration of Puniſhment - 1610
2. By Pardons - - - 790
3. By Eſcapes - - - 130

Total 2530 Convicts.

years,

years, from the eight different Gaols in the metropolis and within the bills of mortality; where theſe enemies to the *peace*, *ſafety*, and *good order* of ſociety, are too often educated in vices and habits which ſend them forth as depredators on the public.

1. Perſons diſcharged by proclamation and gaol-deliveries, having been committed in conſequence of being charged with various different offences, for which the bills were not found by the Grand Jury, or where the proſecutors did not appear to maintain and ſupport the charges - - - - - - 559

2. Perſons diſcharged by acquittals, in the different Courts (frequently from having availed themſelves of the defects of the law,—from frauds in keeping back evidence, and other devices) - - - - - - - - 2962

3. Convicts diſcharged from the different gaols, who have ſuffered the puniſhment of impriſonment, &c. in conſequence of being convicted of different offences - - - - 2484

4. Convicts diſcharged and eſcaped from the hulks at Woolwich, Portſmouth, and Langſton - - - - - - - - - 896

Total 11,934

Humanity

Humanity ſhudders at the contemplation of this intereſting part of the diſcuſſion, when it is conſidered, who theſe miſerable fellow-mortals are! and what is to be expected from the extreme depravity which attaches to the chief part of them!

And here a prominent feature of the imperfect ſtate of the Police of the metropolis and the country is too evident to eſcape notice.

Without friends, without character, and without the means of ſubſiſtence, what are theſe unhappy mortals to do when they are thus let looſe upon ſociety?—They are no ſooner known or ſuſpected, than they are avoided.—No perſon will employ them, if even they were diſpoſed to return to the paths of honeſty, unleſs they make uſe of fraud and deception, by concealing that they have been the inhabitants of a *priſon*, or of the *hulks*.

At large upon the world, without food or raiment, and with the conſtant calls of nature upon them for both, without a home or any aſylum to ſhelter them from the inclemency of the weather, *what is to become of them?*

The Police of the Country has provided no place

place of induſtry* in which thoſe who were diſpoſed to reform might find ſubſiſtence in return for labour, which, in their preſent ſituation, becomes uſeleſs to them, becauſe no perſon will purchaſe it by employing them; and hence it is to be feared that many convicts, from dire neceſſity, return to their old courſes.—And thus it is, that through the medium of theſe miſerable outcaſts of ſociety, crimes are increaſed and become a regular trade, becauſe many of them can make no other election.

It is indeed true, that during the war, many convicts, and idle and diſorderly perſons go into the army and navy: but ſtill a vaſt number remain behind, who cannot be accepted on account of ruptures, fits, or ſome other diſability or infirmity, which, although they incapacitate them from ſerving his Majeſty, do not prevent them from committing crimes.

Were it not for the circumſtance of the war, no doubt can be entertained from the evident increaſe

* That man will deſerve a ſtatue to his memory who ſhall deviſe and carry into effect a plan for the Employment of *Diſcharged Convicts*, who ſhall be deſirous of labouring for their ſubſiſtence in an honeſt way.—It is only neceſſary for ſome men of weight and influence to make the attempt, in order to enſure the aſſiſtance of the opulent and humane in ſo good and neceſſary a work.

of

of theſe miſchievous members of the community, that they would have become extremely troubleſome. How neceſſary, therefore, is it to be provided with antidotes previous to the return of peace; when, to the multitude of thieves now at large, there will be added numbers of the ſame claſs who may be diſcharged from the navy and army?---If ſome plan of employment is not ſpeedily deviſed, to which all perſons of this deſcription may reſort, who cannot otherwiſe ſubſiſt themſelves in an honeſt way; and if the Police of the metropolis is not greatly improved and better adapted to the preſent ſtate of ſociety, by the introduction of more energy, and a greater degree of ſyſtem and method in its adminiſtration; it is much to be feared, that no exiſting power will be able to keep them within bounds.

It is in vain to ſay the laws are ſufficient.---They are indeed voluminous enough.—One half would do, properly conſolidated and adapted to the prevention of exiſting evils, with ſuch regulations as would enſure their due execution *in every part of the Capital.* Nothing ſhort of ſuch an improved ſyſtem will prevent a moſt alarming increaſe of this very dangerous claſs of depredators upon the public.

The means they at preſent uſe in accompliſhing their nefarious purpoſes are complicated and va-

rious, and of late years have become as much diverſified as it is poſſible for the ingenuity of men to deviſe, who frequently join good natural abilities to all the artifices of the finiſhed villain.

It is no uncommon thing for the more daring and ſtrong-minded to form themſelves into gangs or ſocieties, to the excluſion of thoſe of their fraternity whoſe hearts are either likely to fail them, or who are ſuppoſed not to be ſufficiently firm, ſo as to ſecure their accomplices againſt the hazard of diſcovery in caſe of detection.

In this line of depredation, robbery and theft have long been reduced to a regular ſyſtem. Opportunities are watched, and intelligence procured with a degree of vigilance ſimilar to that which marks the conduct of a ſkilful General, eager to obtain an advantage over an enemy.

Houſes intended to be entered during the night are previouſly reconnoitered and examined for days preceding. If one or more of the ſervants are not already aſſociated with the gang, the moſt artful means are uſed to obtain their aſſiſtance, and when every previous arrangement is made, the mere operation of robbing a houſe becomes a matter of little difficulty.

By

By the connivance and aſſiſtance of immediate, or former ſervants, they are led to the places where the moſt valuable, as well as the moſt portable articles are depoſited, and the object is ſpeedily attained.

In this manner do the principal burglars and houſe-breakers proceed, which ſhews how cautious every perſon ſhould be in the choice of both male and female ſervants, for the latter as well as the former are not ſeldom accomplices in very atrocious robberies.

The ſame *generalſhip* is manifeſted in the nocturnal expeditions of theſe criminal aſſociations upon the highways.

A perfect knowledge is obtained every evening, of the different routes and ſituations of the patroles: —they are narrowly watched, and their vigilance (wherever they are vigilant) is in too many inſtances defeated.

Infinite pains is beſtowed in procuring intelligence of perſons travelling upon the road with money, bank-notes, or other valuable effects, and when diſcovered, the moſt maſterly plans are laid to waylay and rob them of their property: nor have

the meaſures purſued by thoſe atrocious villains the foot-pads, exhibited leſs generalſhip in the plans they have adopted, excepting that their outrages are too often marked with thoſe acts of cruelty and barbarity which juſtly render them objects of dread and terror.

The ſame adroitneſs alſo marks the conduct of thoſe who turn their attention chiefly to picking of pockets and other ſmaller robberies.

It would almoſt fill a volume to detail the various artifices which are reſorted to, in carrying on this ſpecies of thieving, by which even the moſt cautious, and thoſe who are generally upon their guard, are not exempted from the ravages of theſe nuiſances in a great metropolis.

In addition to the injuries or loſſes ariſing from burglaries, high-way robberies, and leſſer thefts, it is to be lamented that extenſive and encreaſing depredations are made upon cattle and ſheep, and alſo upon flour, corn, potatoes, provender and poultry ſtolen from the drovers, millers, corn-factors and farmers in the vicinity of the metropolis.

The great facilities which the various claſſes of criminal

criminal people experience in the immediate diſpoſal of every article that is obtained by diſhoneſty, is one of the chief encouragements to all the acts of outrage and depredation which they are conſtantly in the courſe of committing.

It frequently happens that the burglars, the highway-men, and foot-pad robbers, finiſh their contracts with the receivers, on the evening before the plunder is obtained, ſo as to ſecure a ready admittance immediately after, and before day-break, for the purpoſe of effectual concealment by melting plate, obliterating marks, and ſecuring all other articles ſo as to place them out of the reach of diſcovery. This too has long been reduced to a regular ſyſtem which is underſtood and followed as a trade.

Nor are thoſe claſſes of thieves who ſteal cattle and ſheep at leſs difficulty in finding purchaſers immediately for whatever they can obtain in a diſhoneſt way:—they too, generally make a previous bargain with the receivers, who are ready at the appointed hour, to conceal the animals, and to kill them immediately, and to deſtroy the ſkins for the purpoſe of eluding and preventing detection.

It ſometimes happens alſo, that the perſons who perpetrate the robberies, are journeymen butchers by trade; who kill whatever they ſteal, previous to a ſale, which is often made afterwards in the public markets.

The articles of corn, flour, potatoes, provender, and poultry, are generally ſtolen from millers, wharfingers, and farmers, in the vicinity of the metropolis, for the moſt part by, or with the connivance of, their own ſervants; and brought to London on the top of teams or waggons, which travel moſtly during the night, ſo as to arrive in the market by day-break.

Theſe articles are generally diſpoſed of to hoſtlers and ſervants at watering-houſes upon the roads in the ſuburbs of the metropolis: and this, as well as the ſtealing of cattle and ſheep, has of late years become a very ſerious evil.

The moſt obvious means of prevention are to be obtained by ſuch reſtraints as ſhall render it extremely difficult to ſell to *receivers*, and equally hazardous for them to purchaſe ſtolen goods. At preſent the temptation is great, as theſe nouriſhers and ſupporters of thieves generally purchaſe at leſs than half,

half, and ſometimes not above one-third of the real value.

If by wiſe regulations it ſhall be poſſible to embarraſs and diſturb the extenſive trade carried on by the *concealed receivers*, who are the particular claſs having connections with the profeſſed thieves, a very great check would be given to public depredations.

In ſuggeſting remedies, this of all others appears at firſt view to be the moſt difficult, becauſe of the apparent impoſſibility of regulating any claſs of dealers who have no ſhop or viſible trade, and who tranſact all their buſineſs under concealment: —but ſtill the object is to be attained by a combination of different legiſlative regulations, carried into execution by a vigilant and well-regulated police.

The detail, however, of ſuch meaſures coming more properly under another head, will of courſe be diſcuſſed in a ſubſequent chapter, in which will be compriſed whatever relates to the different claſſes of Receivers of ſtolen goods.

In addition to ſuch great lines of prevention as ſhall reſult from proper reſtraints upon fraudulent dealers, and from a well-connected and energetic

ſyſtem

ſyſtem of police, other embarraſſments may be introduced, by increaſing the rewards, and holding out encouragements calculated to induce the thief to diſcover the receiver, and *vice verſa*.

A regiſter of lodging-houſes and lodgers in every pariſh, liberty, hamlet, and precinct, where the rent does not exceed a certain ſum (ſuppoſe ten ſhillings) weekly, would alſo prove a great means of embarraſſment to thieves and criminal people of every claſs; and of courſe would tend, with other regulations, to the prevention of crimes.

Night-coaches alſo promote, in an eminent degree, the perpetration of burglaries.—Bribed by a high reward, many hackney-coachmen eagerly enter into the pay of nocturnal depredators, and wait in the neighbourhood until the robbery be completed, and then draw up at the moment the watchmen are going their rounds, for the purpoſe of conveying the plunder to the houſe of the receiver, who is generally waiting the iſſue of the enterpriſe.

It being certain that a vaſt deal of miſchief is done which could not be effected, were it not for the facilities which night-coaches afford to thieves of every deſcription, it would ſeem, upon the whole, advantageous to the public, that they ſhould not be

permitted

permitted to take fares after twelve o'clock at night; or, if this is impracticable, that the coach-hire for night ſervice ſhould be advanced, on condition that all coachmen going upon the ſtands after twelve o'clock, ſhould be licenſed by the Magiſtrates of the diviſion, upon a certificate of good character, and to enter into recognizance, themſelves and one ſurety, under a penalty of Fifty Pounds for good behaviour.—By this means the night coachmen, by being more ſelect, would not be ſo open to the influence of criminal people, and they might beſides be uſeful to public juſtice in giving informations, and alſo in detecting burglars, and other thieves.

Watchmen and patroles, from being comparatively of little uſe at preſent from their *age*, *infirmity*, *inability*, *inattention*, or *corrupt practices*, might almoſt at the ſame expence, by a proper ſelection, and a more correct mode of diſcipline by means of ſuperintendants appointed by the Magiſtrates of each diſtrict, be rendered of great utility in preventing crimes, and in detecting offenders. * At preſent it

 is

* The depredations which are committed almoſt every evening in Cheapſide, and in the adjacent ſtreets leading into it, is a ſtrong proof of the neceſſity of an improved ſyſtem with regard to watchmen and patroles.

Allured to that particular part of the metropolis, from the extenſive

is a ſyſtem without energy, disjointed and governed by almoſt as many different acts of parliament, as there are pariſhes, hamlets, liberties, and precincts

extenſive and valuable property in *piece-goods* and other portable articles which are conſtantly removing to and from the different ſhops and warehouſes:—a multitude of thieves and pick-pockets exhibiting often in their dreſs and exterior, the appearance of gentlemen and men of buſineſs, aſſemble every evening in gangs, watching at the corners of every ſtreet, ready to *huſtle* and *rob*, or to *trip up the heels* of the *warehouſe-porters and the ſervants of ſhop-keepers carrying goods*, or to watch at the doors of warehouſes at duſk and at the time they are locked up, to be ready to ſeize looſe parcels when unperceived, by which means, aided by a number of other tricks and fraudulent pretences, they are but too ſucceſsful in obtaining conſiderable booty. In ſhort, there is no device or artifice to which theſe watchful and vigilant plunderers do not reſort: manifeſted in a recent inſtance, where almoſt in the twinkling of an eye, while the ſervant of an eminent ſilk-dyer had croſſed a narrow ſtreet, his horſe and cart containing raw ſilk to the value of *twelve hundred pounds*, were driven clear off by ſome of theſe atrocious villains, who are alſo conſtantly in waiting at the inns, diſguiſed in different ways, perſonating *travellers*, *coach-office clerks*, *porters*, *and coachmen*, for the ſame nefarious purpoſes of plundering every thing that is portable, or which can be carried with the aſſiſtance of two or three of theſe aſſociates in villainy, to a coach, which is called for the purpoſe, where the booty is conveyed immediately to the receiver.

The moſt adroit thieves in this line are generally *convicts from the hulks*, or *return tranſports*, who, under pretence of having ſome oſtenſible buſineſs (while they carry on the trade of

cinets within the bills of mortality; and where the payment is as various, running from 10d. up to 2s. a night.

The Act of the 14th of George 3d. *entitled, an Act for the better Regulation of the Nightly Watch, within the City and Liberty of Weſtminſter, and parts adjacent*, contains many excellent regulations, but they do not extend to the eaſtern part of the metropolis; and for want of an active and ſuperintending agency, ſuperior to beadles, it is believed and felt that they are not correctly carried into execution: and hence it is, that not a ſmall proportion of thoſe very men who are paid for protecting the public, are not only inſtruments of oppreſſion in many inſtances, by extorting money moſt unwarrantably; but are alſo not ſeldom acceſſaries in aiding, abetting, or concealing the commiſſion of crimes which could not be the caſe, if proper ſuperintendants, holding a ſuperior rank in ſociety, were eſtabliſhed, who ſhould watch their conduct, and keep them to their duty.

of thieving) generally open a *chandlers-ſhop*, ſet up a *green-ſtall*, or get into a *public-houſe*:—ſome of theſe old offenders are known alſo to keep livery-ſtables for thieves, and horſes for the uſe of highwaymen, thereby forming a ſyſtem by which theſe criminal people extend and facilitate their trade by *nouriſhing*, *accommodating*, and ſupporting one another.

If to the ſyſtem already propoſed, of regulating *Lodging-houſes*, *Dealers in old metals*, *Rags*, *Ships-ſtores*, *Second-hand wearing-Apparel*, *and Perſons uſing Crucibles*—were eſtabliſhed additional regulations obliging *Publicans*, *Pawn-brokers*, *Watch-makers*, *Buyers of Gold and Silver*, *Refiners of Gold and Silver*, *Working and other Silverſmiths*, *Dealers in old and ſecond-hand Furniture*, *Brokers in ſecond-hand Goods*, *Dealers in old Building-Materials*, *Dealers in dead Horſes and other animals*, *and livery-ſtable-keepers letting horſes for hire*, to make a return of their names and places of abode to the magiſtrates of the diſtrict where they reſide, and ſubjecting them to a penalty if they concealed any ſtolen goods, or horſes, after the ſame were deſcribed in hand-bills or advertiſements, or any horſe lett to a highwayman after ſuch highwayman was in like manner advertiſed: Much miſchief and many evil practices, as well as robberies and burglaries would be prevented.

And if to this were added liberal rewards to the apprehenders of all claſſes of criminal perſons, and a proper ſtrength in honeſt, able, and active officers and patroles attached to each Public Office, with a ſufficient fund to defray the expences of following up informations for the detection of criminal people, and of remunerating thoſe who are active

and

and uſeful in making diſcoveries, tending either to the recovery of property ſtolen, or to the apprehenſion of offenders, little doubt need be entertained, under the ſuperintendance of zealous, and active Magiſtrates, of ſuch a ſyſtem being eſtabliſhed as would go very far towards the prevention of many atrocious crimes, the exiſtence and increaſe of which have been long a reproach to the criminal juriſprudence of the country.

CHAP.

CHAP. VI.

The Frauds upon the Public from baſe Money:—The cauſes of its enormous increaſe of late years.—The different kinds of falſe Coin detailed:—The proceſs in fabricating each ſpecies explained:—The immenſe profits attending this criminal Buſineſs:—The extenſive Trade in ſending baſe Coin to the Country.—Its univerſal Circulation in the Metropolis.—The great grievance ariſing from it to Brewers, Diſtillers, Grocers, and Retail dealers, in particular, as well as the labouring Poor, in general.—The principal Channels through which it is uttered in the Country and in the Metropolis.—Counterfeit foreign Money extremely productive to the dealers.—A ſummary view of the cauſes of the miſchief: the defects in the preſent laws explained: A remedy propoſed.

THE frauds upon the public which are committed by the fabrication of baſe money, and by the nefarious practices which are uſed in the introduction of almoſt every ſpecies of counterfeit coin into the circulation of the country, falls now

to

to be diſcuſſed in the regular order of the arrangement of this work.

The great outlines of this enormous evil having been ſtated in the *Introduction*, it now remains to elucidate that part of the ſubject which is connected with *ſpecific detail*.

One of the greateſt ſources of theſe multiplied and increaſing frauds is to be traced to the various ingenious improvements which have taken place of late years in Birmingham in mixing metals, and in ſtamping and *colouring* ornamental buttons.

The ſame ingenious proceſs is ſo eaſily applied to the coinage and colouring of falſe money, and alſo to the mixing of the metals of which it is compoſed, that it is not to be wondered that the avarice of man urged by the proſpects of immenſe profit, has occaſioned that vaſt increaſe of counterfeit money of every deſcription with which the country is at preſent deluged.

The falſe coinages which have been introduced into circulation or ſold as an article of commerce of late years, are *guineas and half guineas*, *crowns and half crowns*, *ſhillings*, *ſixpences*, *half-pence*, *and farthings*, of the ſimilitude of the coin of the realm.

realm: and alſo *Half Johannes, Louis-d'ors, French half crowns, French ſhillings, and ſixpences,* 30 *ſol pieces, Pruſſian ſilver coin, with other continental coins:* and alſo *ſequins of Turkey and pagodas of India.*

So dexterous and ſkilful have theſe criminal people become, that by mixing a certain proportion of pure gold with a compound of baſe metal, they can fabricate guineas that ſhall be full weight, and of ſuch perfect workmanſhip as to elude the poſſibility of a diſcovery, except by perſons of ſkill; while the intrinſic value does not exceed thirteen or fourteen ſhillings, and in ſome inſtances not above eight or nine. Of this coinage conſiderable quantities were circulated ſome years ago, bearing the impreſſion of George the Second: and at the preſent period another coinage of counterfeit guineas of the year 1793 bearing the impreſſion of his preſent Majeſty, is actually in circulation, finiſhed in a maſterly manner and nearly full weight, although the intrinſic value is not above eight ſhillings: half guineas are alſo in circulation of the ſame coinage: but as the fabrication of ſuch coin requires a greater degree of ſkill and ingenuity than generally prevails, and alſo a greater capital than coiners are able to command, it is to be hoped it has gone to no great extent,

extent, for amidſt all the abuſes which have prevailed of late years, it is unqueſtionably true that the guineas and half guineas which have been counterfeited in a ſtile to elude detection, have borne no proportion in point of extent to the coinage of baſe ſilver of which there are *five* different kinds at preſent counterfeited.

The firſt of theſe are denominated Flats, from the circumſtance of this ſpecies of money being cut out of flatted plates compoſed of a mixture of ſilver and blanched copper. The proportion of ſilver runs from one fourth to one third, and in ſome inſtances even one half: the metals are mixed by a chemical preparation, and afterwards rolled in flatting mills where the compoſition is formed into the thickneſs of *ſhillings*, *half crowns* or *crowns*, according to the deſire of the parties who bring the copper and ſilver, which laſt is generally ſtolen plate. There is only at preſent one rolling mill in London, in a well-known ſituation, where all the dealers and coiners of this ſpecies of baſe money reſort, for the purpoſe of preparing theſe plates, from which when finiſhed, *blanks* or round pieces are cut out, of the ſizes of the money which is meant to be coined.

The artiſans who ſtamp or coin theſe blanks

into baſe money are ſeldom intereſted themſelves. —They generally work as mechanics for the large dealers who employ a capital in the trade ;—and who furniſh the plates and pay about eight per cent. for the coinage, being at the rate of one penny for each ſhilling, and two-pence half-penny for each half crown.

The operation is firſt to turn the blanks in a lathe ; —then to ſtamp them by means of a preſs with dies with the exact impreſſion of the coin which is intended to be imitated :—they are afterwards rubbed with ſand-paper and cork ; then put into aquafortis to bring the ſilver to the ſurface ; then rubbed with common ſalt ; then with cream of tartar ; then warmed in a ſhovel or ſimilar machine before the fire ; and laſt of all rubbed with *blacking*, to give the money the appearance of having been in circulation.

All theſe operations are ſo quickly performed, that two perſons (a man and his wife for inſtance) can completely finiſh to the nominal amount of fifty pounds of ſhillings and half crowns in two days, by which they will earn each two guineas a day.

This ſpecies of money (which exhibits nearly the appearance

appearance of what has been uſually called Birmingham ſhillings) are intrinſically worth from *two-pence to four-pence*, and in the ſame proportion for half crowns. The quantity of it which is made is very conſiderable: it requires leſs ingenuity than other methods of coining, though at the ſame time it is the moſt expenſive mode, and of courſe the leaſt profitable to the dealer, who for the moſt part diſpoſes of it to the utterers, vulgarly called *ſmaſhers* at 28s. to 40s. for a guinea, according to the quality, while theſe *ſmaſhers* generally manage to utter it again at the full import value.

The ſecond ſpecies of counterfeit ſilver-money paſſes among *the dealers by the denomination of Plated Goods*, from the circumſtance of the ſhillings and half crowns being made of copper, and afterwards, plated with ſilver, and a ſilver rim put round the edge. This coin is afterwards ſtamped with dies ſo as to reſemble the real coin, which, from the circumſtance of the ſurface being pure ſilver, is not eaſily diſcovered except by ringing the money on a table: but as this ſpecies of baſe money requires a knowledge of *plating* as well as a great deal of ingenuity, it is of courſe confined to few hands. It is however extremely profitable to thoſe who carry it on, as it can generally be uttered without detection at its full import value.

The third ſpecies of baſe ſilver-money is what is called Plain Goods, and is totally confined to ſhillings which are made of copper blanks turned in a lathe of the exact ſize in every reſpect as a Birmingham ſhilling. They are afterwards ſilvered over by the ſame operation which is uſed in colouring metal buttons; they are then rubbed over with cream of tartar and blacking, after which they are fit for circulation.

Theſe ſhillings do not coſt the makers above one half-penny each: they are ſold very low to the *ſmaſhers* or *utterers* who paſs them, where they can, at the full nominal value, and when the ſilver wears off, which is very ſoon the caſe, they are ſold to the Jews as bad ſhillings, who generally reſell them at a ſmall profit to cuſtomers, who recolour them, and very ſoon bring them again into circulation. The profit is immenſe from the trifling value of the materials; but the circulation on account of the danger of diſcovery is not yet very extenſive. It is however to be remarked, that it is a new ſpecies of coinage recently introduced.

The fourth claſs of counterfeit ſilver-money is known in the trade by the name of *Caſtings* or *Caſt Goods*. This is a ſpecies of work which requires great

great ſkill and ingenuity, and on this account it is confined to few hands, for none but excellent artiſts can attempt it, with any proſpect of great ſucceſs.

The proceſs is to melt blanched copper, and to caſt it in moulds, having the impreſſion, and being of the ſize of a *crown*, a *half crown*, a *ſhilling*, or a *ſixpence*, as the caſe may be; after being removed from the moulds the money thus formed is cleaned off, and afterwards newly ſilvered over by an operation ſimilar to what takes place with regard to buttons.

The counterfeit money made in imitation of ſhillings by this proceſs, is generally caſt ſo as to have a *crooked appearance*, and the deception is ſo admirable, that although intrinſically not worth *one half-penny*, by exhibiting the appearance of a *thick crooked ſhilling*, they enter into circulation without ſuſpicion, and are ſeldom refuſed while the ſurface exhibits no part of the copper, and even after this the itinerant Jews will purchaſe them at threepence each, which is ſix times their intrinſic value, well knowing that they can again be re-coloured at the expence of half a farthing, ſo as to paſs without difficulty for their nominal value of twelve pence.

The profit therefore in every view, whether to the

the original maker, or to the ſubſequent purchaſers, after having loſt their colour, is *immenſe*.

In fabricating this ſpecies of baſe money, the workmen are always more ſecure than where preſſes and dies are uſed, becauſe upon the leaſt alarm, and before any officer of juſtice can have admiſſion, the counterfeits are thrown into the crucible; the moulds are deſtroyed; and nothing is to be found that can criminate or convict the offender: on this account the preſent makers of caſt money have reigned long, and were they careful and frugal, they might have become extremely rich; but this rarely falls to the lot of men who live by acts of criminality.

The fifth and laſt ſpecies of baſe coin made in imitation of ſilver-money of the realm, is what is called *Figs* or *Fig Things*. It is a very inferior ſort of counterfeit money, of which compoſition however the chief part of the ſixpences now in circulation are made. Theſe ſixpences are caſt in moulds, and are for the moſt part blanched copper; after being drawn from the moulds, which are ſo formed as to give them the ſame crooked appearance which they exhibit in circulation; they are filed and dreſſed, and afterwards put in a veſſel with a chemical preparation of ſilver, and worked until they acquire colour.—

After

After this they are laid on tin over a charcoal fire until they become white: the proportion of ſilver is not, generally ſpeaking, of the value of one farthing in half a crown, although there are ſome exceptions, as counterfeit ſixpences have been lately discovered, ſome with a mixture, and ſome wholly ſilver: but even theſe did not yield the makers leſs than 60 per cent, while the profit on the former is not leſs than from five hundred to one thouſand per cent, and ſometimes more.

It is impoſſible to eſtimate the amount of this baſe money which has entered into the circulation of the country during the laſt twenty years: but it muſt be immenſe, ſince one of the principal coiners in the *flat way* who has lately left off buſineſs, and made ſome important diſcoveries, acknowledged to a Magiſtrate of Police, that he had coined to the extent of *two hundred thouſand pounds* ſterling in counterfeit *halfcrowns*, beſides other baſe ſilver money in a period of ſeven years. which is the leſs ſurpriſing as two perſons can ſtamp and finiſh to the amount of from 200 to 300l. a week.

Of the Copper Money made in imitation of the current coin of the realm, there are a number of different ſorts which are ſold at various prices, according

cording to the ſize and weight; but in general they may be divided into two kinds, namely the ſtamped and the plain half-pence, of both which kinds immenſe quantities have been made in London; and alſo at Birmingham, Wedgbury, Bilſton, and Wolverhampton, &c.

The plain half-pence are generally made at Birmingham, exhibiting an appearance in point of thickneſs, which proves a wonderful deception, notwithſtanding they are ſold by the coiners to the large dealers at about a farthing each, or 100 per cent. profit in the tale or aggregate number: but theſe dealers who thus purchaſe in wholeſale are not the *utterers*; but ſell again by retail in what is called *pieces* or *five ſhilling papers*, at the rate of from 28s. to 31s. for a guinea, to ſmaſhers and perſons in different trades, both in the metropolis and the country towns, who paſs them in the courſe of their buſineſs at the full import value.

Farthings are alſo made in conſiderable quantities, chiefly in London, but ſo very thin that the profit upon this ſpecies of coinage is much greater than on the half pence, though in both inſtances theſe counterfeits are not now, as formerly, made of baſe adulterated metal. The copper of which they are made is generally pure. The advantage lies

lies in the weight alone, where upon farthings the *coiners*, *fellers*, and *utterers* do not obtain leſs than 250 per cent. A well known coiner has been ſaid to finiſh from ſixty to eighty pounds ſterling a week. Of half-pence two or three perſons can ſtamp and finiſh at leaſt to the nominal amount of two hundred pounds in ſix days.

When therefore it is conſidered that there are not leſs than forty to fifty coinages or private mints, almoſt conſtantly employed, in London and in different country towns, in ſtamping and fabricating baſe ſilver and copper money; the evil may truly be ſaid to have arrived at an enormous height. It is indeed true that theſe criminal people have been a good deal interrupted and embarraſſed of late, by detections and convictions; but while the laws are ſo inapplicable to the new tricks and devices they have reſorted to, theſe convictions are only *a drop in the bucket*; and indeed it is no unuſual thing for the wife and family of a culprit, or convicted *feller* of *baſe money*, to carry on the buſineſs, and to ſupport him in great luxury in Newgate, until the expiration of the one *year* and *day's* impriſonment, which is the puniſhment inflicted by law for this ſpecies of offence.

It has been already ſtated, in the introductory

part of this Treatiſe, (page 25) that trading in baſe money has now become as regular and ſyſtematic as any fair branch of trade :——

Certain it is that immenſe quantities are regularly ſent from London to the camps during the ſeaſon, and to cuſtomers at the ſea-ports and manufacturing towns, who again ſell in retail to the different tradeſmen and others who paſs them at the full *import* value.

In this nefarious traffic the lower order of the Jews in London aſſiſt the dealers in an eminent degree, particularly in the circulation of bad half-pence.

It has not been an unuſual thing for ſeveral of theſe dealers to hold a kind of market, every morning, where from forty to fifty Jew boys are regularly ſupplied with counterfeit half-pence, which they diſpoſe of in the courſe of the day in different ſtreets and lanes of the metropolis, for *bad ſhillings*, which they generally purchaſe, as has been already ſtated, at 3d. each, in exchange for baſe copper, always taking care that the perſon who cries bad ſhillings ſhall have a companion near him with the half-pence and the unclipt ſhillings (which are purchaſed) ſo as to elude the detection of the Officers of the Police, in the event of being ſearched.

Theſe

Theſe Jew boys will generally clear from five to ſeven ſhillings a day, by this fraudulent buſineſs, which they uniformly ſpend, during the evening, in riot and debauchery, returning pennyleſs in the morning to their old trade.

The bad ſhillings thus purchaſed by theſe Jew boys are received in payment by their employers for the bad half-pence, at the rate of four ſhillings a dozen, and generally re-ſold by theſe employers to *ſmaſhers*, at a profit of two ſhillings a dozen, who ſpeedily re-colour them, and introduce them again into circulation, at their full nominal value.

Thus it is that the frauds upon the public multiply beyond all poſſible conception, by the devices and criminal manœuvres already explained, while the innocent tradeſman who thus ſells his counterfeit ſhillings to Jew boys at three-pence each, little ſuſpects that it is for the purpoſe of being returned upon him again at the rate of twelve pence, or 300 per cent. profit to the purchaſers and utterers.

But theſe are not the only criminal devices which the coiners and dealers, as well as the utterers of baſe money, have recourſe to, for the purpoſe of cheating and defrauding the public.

Counterfeit French half crowns and ſhillings of excellent workmanſhip have been lately introduced, and mixed with the Britiſh baſe coin, with a view to deceive the public, and to elude the puniſhment of the law.

Fraudulent die ſinkers are to be found both in the metropolis and in Birmingham, who are excellent artiſts, able and willing to copy the exact ſimilitude of any coin, from the Britiſh guinea to the ſequin of Turkey, or the ſtar pagoda of Arcot. Theſe criminal people have therefore every facility they can wiſh for, while their accurate knowledge of all circumſtances relative to the deficiency of the laws, and where the point of danger lies, joined to the extreme difficulty of detection, operates as a great encouragement to this ſpecies of treaſon and fraud, and may be aſſigned as a very forcible reaſon why theſe peſts of ſociety have ſo increaſed and multiplied of late years.

An opinion prevails, founded on information obtained through the medium of the moſt intelligent of theſe coiners and dealers, that of the proportion of counterfeit money now in circulation not above one third part is of the ſpecies of *Flats* or *compoſition money*, where from one fourth

to

to one half is ſilver and the remainder blanched copper.

The other two thirds being *caſt* or *waſhed money* which is intrinſically worth little or nothing, the impoſition upon the public is obvious. Taking the whole upon an average it muſt be conſiderably within ten per cent. of a total loſs upon the maſs of the baſe ſilver-money now in circulation, which, if a concluſion may be drawn from what paſſes under the review of any perſon who has occaſion to receive ſilver in exchange, muſt exceed *one million ſterling!* and this too with the miſerable proſpect of an acceſſion every year until ſome effectual ſteps ſhall be taken to remedy the evil.

Of the Copper Coinage, the quantity of counterfeits now in circulation may be truly ſaid to equal three fourth parts of the whole, independent of the daily acceſſion; and nothing is more certain than that a very great proportion of the actual counterfeits paſs as mint half-pence from their ſize and appearance, although they have yielded the coiners a large profit.

In ſhort, nothing can be on a worſe footing than both the ſilver and copper coinage of this kingdom at the preſent period, for at no time can any

any perſon minutely examine either the one coin or the other which may come into his poſſeſſion, in his intercourſe with ſociety, without finding a conſiderable proportion counterfeits.

What therefore muſt be the ſituation of the retail dealers, the brewers, diſtillers, and many other claſſes of induſtrious traders, who, in the courſe of their buſineſs are compelled to receive ſuch money as is in circulation?

The burden is not only grievous beyond expreſſion to thoſe who have no alternative but to take ſuch baſe money in payment: but this preſſure extends indirectly to *the poor*, in as much as the diminiſhed value of ſuch coin ariſing from its reduced or baſe quality, taken in connection with the quantities thrown into circulation, tends to enhance the price of the firſt articles of neceſſity.

The labourer, the handicraft, and the working manufacturer, being generally paid their weekly wages, partly in copper money of the preſent depreciated value;—it is obvious that they muſt obtain leſs than they would otherwiſe receive, were the coin of a higher ſtandard, for the retail dealers who furniſh the poor with food, muſt ſhield themſelves, at leaſt in part, againſt the unavoidable loſſes

ariſing

ariſing from baſe money, by advancing the prices of their various commodities.

Nor are ſuch advances made upon a principle which cannot be defended, ſince it is evident that the relative value *even of the Mint copper coin* to gold or ſilver is nearly *twice its intrinſic value*, and while ſuch copper money cannot be paid into the receipt of His Majeſty's Exchequer, or received in payment by the officers of the revenue, the burden and loſs of a diminiſhed coin falls entirely upon the traders (who are compelled to receive ſuch money) and upon the labourers and mechanics through whoſe medium it is chiefly circulated.

While the diſproportion thus ſtated between the denominative value of copper and ſilver-money is ſo very great, it is evident that the legal coinage of copper muſt produce an immenſe profit, ſeeing that *one pound* of copper eſtimated at 15 *pence* * will make as many half-pence of the legal coinage as paſs for *two ſhillings*.

This fact plainly ſhews the vaſt temptation which is held out to thoſe who carry on the counterfeit coinage, where the profit from the coiner to the dealers, and from theſe dealers to the ut-

* A few years ago ſheet-copper was as low as 11½d a pound, and will probably be again at the ſame price on the return of Peace.

terers

terers at the full denominative value, muſt be in many inſtances from two to three hundred per cent. and when to this circumſtance is added the ſecurity which the deficiencies in the preſent laws hold out, it operates as a kind of bounty to theſe fraudulent people, who cannot reſiſt the proſecution of a trade where the profit is ſo immenſe, and where a coinage equally *pure* and *heavy* as the mint ſtandard would even be extremely productive.

In every view the evil ariſing from baſe money of every denomination appears to be of the greateſt magnitude--while its extent will ſcarce be credited by thoſe who have not turned their attention very minutely to the ſubject.

The trade of dealing in baſe money acquires its greateſt vigour in the month of March, for then the Lotteries are over, when *Swindlers*, *Gamblers*, *Pretended Dealers in Horſes*, *Travellers with E. O. Tables*, and *Hawkers* and *Pedlars* go into the country, carrying with them conſiderable quantities of counterfeit ſilver and copper coin, by which they are enabled, in a greater degree, to extend the circulation by cheating and defrauding ignorant country people.

It is in the ſpring ſeaſon too, that the dealers in baſe

baſe money begin to make up their orders for the different country towns, and it is ſuppoſed upon good grounds that there is now ſcarce a place of any conſequence all over the kingdom where they have not their correſpondents; and it is alſo a fact well eſtabliſhed, that theſe correſpondents come regularly to the metropolis, once or twice a year, for the purpoſe of purchaſing baſe money.

It very ſeldom happens, on account of the very great demand, (eſpecially of late years) that the dealers have ever any conſiderable ſtock on hand. The baſe money is no ſooner finiſhed, than it is packed up and ſent to cuſtomers in town and country, and with ſuch rapidity has it been fabricated, on occaſions of preſſing emergency, that a ſingle dealer has been known to procure from the coiners, who worked for him, from 300l. to 500l. for country orders in the courſe of the week!

The lower ranks among the Iriſh and the Jews are the chief ſupporters of the trade of circulating baſe money in London;—there is ſaid to be ſcarce a low Iriſh labourer who does not exchange his week's wages for baſe money, taking a mixture of ſhillings, ſixpences, and copper.

The Jews principally confine themſelves to the

coinage and circulation of copper; while the Iriſh women are the chief utterers and colourers of baſe ſilver. A vaſt number of theſe low women have acquired the miſchievous art of colouring the bad ſhillings and ſixpences, which they purchaſe from the Jews, who, (as has been already mentioned) obtain theſe by employing boys *to cry bad ſhillings*, and by making the purchaſe wholly with counterfeit half-pence.

It is ſomewhat ſingular that among the fraudulent Jews, although many inſtances occur of their being coiners of copper money and dealers to a great extent: yet ſcarce an inſtance can be adduced of theſe people having any concern in the coinage or the colouring of baſe ſilver, neither are they extenſive dealers in any other baſe coin but copper.

They indeed deal largely in foreign coins, counterfeited in this country, having been the chief medium by which *Louis d'ors*, *Half Johannes*, as well as various ſilver coins, made of baſe metal, have been ſent out of this country. It is through the ſame channel that the Sequins of Turkey were coined; and alſo the Pagodas of India. This laſt coin has been made for a conſiderable number of years by one individual only, who ſells them at 5d. each, while the dealers, by diſpoſing of them afterwards at

at 2s. 3s. and 5s. find it a very lucrative branch of trade, although unqueſtionably a very fraudulent one.

In contemplating and in developing the cauſes of the vaſt accumulation and increaſe of baſe money, which, by means of fraud and deception, has deluged the country of late years, it will be found chiefly to proceed from *the want,—of a new coinage: —of laws, applicable to the new tricks and devices practiſed by the coiners:—Of proper rewards for the detection and apprehenſion of Offenders;—and of a ſufficient fund to enſure the prompt execution of the law by a vigorous and energetic Police*, directed not only to the object of detection and puniſhment of offenders: but alſo to the means of prevention.

Vigor and energy in the ſuppreſſion of crimes of every kind, but particularly that of the coinage and circulation of baſe money, depends much on the zeal and activity of the Magiſtrate, joined to an adequate pecuniary reſource, to enable him to remunerate and reward perſons who may undertake to riſk their perſons in the company of deſperate and daring offenders, with a view to obtain that ſpecies of evidence which will produce a conviction. Without ſuch pecuniary reſource, the law as well as the exertions of the Magiſtrate become a dead

letter: and his efforts for the purpoſe of promoting the ends of public juſtice are crippled and loſt to the community.

In ſuppreſſing great evils ſtrong and adequate powers muſt be applied, and nothing can give force and activity to theſe powers, but the ability to reward liberally men who riſk their lives in the public ſervice, either as police officers, or as temporary agents for the purpoſe of detecting atrocious offenders *.

A ſufficient fund, therefore, as well as amended and improved laws, would ſeem to be indiſpenſibly neceſſary for the purpoſe of remedying the evils and miſchiefs ariſing from baſe money; and the following ideas are ſuggeſted with a view to this important object.——

The coinage laws which contain the moſt important regulations in the way of prevention having been made a century ago, it is not to be wondered that in conſequence of the regular progreſs of the evil which was meant to be cured, and the new tricks and devices which have been reſorted to, in the progreſs of one hundred years,

* The want of pecuniary reſource to reward officers of juſtice and others, is one of the principal cauſes, why, among the multitude of coiners and dealers in baſe money, ſo very few, comparatively ſpeaking, have been brought to juſtice.

that

that many prominent amendments have become neceſſary. A conſolidation of the whole laws from 25th of Edward the Third to the 14th of his preſent Majeſty would, perhaps, be the moſt deſireable object, as it would afford a better opportunity of correcting every deficiency and of rendering this branch of the criminal code *conciſe, clear, explicit*,—applicable to the exiſting evils and to the means of prevention.

For the purpoſe however of more fully elucidating this propoſition, the following apparent deficiencies in the exiſting laws * muſt be obvious, wherever they are examined.

* 25th Edward III. 1ſt of Queen Mary, 5th, 14th, and 18th of Elizabeth.	Theſe Acts make coining the gold and ſilver coin of the Realm *High Treaſon*;—*Miſpriſion of Treaſon* to coin foreign money;—and *Treaſon* to diminiſh or lighten the current coin.
7th, 8th, 9th, and 10th of William III.	Theſe Acts contain a detail of the principal offences and puniſhments, upon which proſecutions are founded at preſent.
7th of Queen Anne.	Allows 600l. a year for proſecuting Offenders.
15th and 16th of George II.	Amends ſome of the above Laws, and eſtabliſhes new regulations relative to the Copper Coinage.
11th and 13th of George III.	Makes further regulations reſpecting the Copper Coinage, which however, have not been at all effectual.

1. Pro-

1. Profecutions are at preſent limited to three months, which may often defeat juſtice where offences committed in the Country frequently cannot be tried in leſs than four, five, and in ſome caſes nearly ſix months. ☞ *The limitation to ſix months would remove the difficulty.*

2. The words *Milled Money* ſeems neceſſary by the Act of 8 and 9 William IIId. to form the deſcription of Coin ſimilar to the current Coin of the Realm, which requires amendment, inaſmuch as a conſiderable proportion of the counterfeit Coin is *caſt* and *not milled.* ☞ *The words* Milled *or* not Milled *would remove the ambiguity.*

3. No proviſion is made in any Act, and conſequently no puniſhment for the offence of *buying baſe Money to recolour it:*—this is a modern device, which of courſe no exiſting law reaches.

4. Neither is any proviſion made, and of courſe, no puniſhment for the offence of *uttering baſe Money in exchange* as well as in payment.

5. No exiſting law gives any power to Magiſtrates upon information on oath to ſearch for, or ſeize counterfeit Coin, in the hands or premiſes of *known Dealers* or *reputed Utterers*; although theſe Dealers are now the perſons (and not the actual Coiners) who keep the baſe Money: neither is there any power to ſeize baſe Money conveying in coaches or waggons going into the Country. Under this ſhelter the Dealers are enabled to hold markets for ſale in their houſes, where they frequently

frequently keep large ſtocks; and baſe Money is alſo ſent into the Country without the leaſt hazard of detection or ſeizure. ☞ Surely this ſhould be otherwiſe regulated.

6. No power is given by any exiſting law, even upon the moſt pointed information, to ſearch the houſes or workſhops of Coiners *in the night time*. Hence it is that *detection* becomes ſo difficult, and the evil increaſes, becauſe the law in ſome meaſure ſhields the offenders from diſcovery. If in Lottery offences (which are certainly greatly inferior in their enormity to Coining) a power is granted to break open houſes in the night time, ſurely no reaſon can be aſſigned why treaſonable offences in Coining baſe Money, ſhould not in this reſpect be on the ſame footing. Unleſs there is a power to ſearch in the night, and ſuddenly to force open doors or windows, it will be impoſſible to detect the Makers of Caſt-Money.

7. The laws relative to the Copper Coinage, although more modern, have alſo been found to be extremely defective, and totally inadequate to the object the Legiſlature had in view.

The Act of the 11th of his preſent Majeſty indeed makes it felony to ſell Copper Money of the ſimilitude *of the current Money of the Realm* at a leſs value than the denomination doth import, but the benefit of Clergy not being taken away, and no ſpecific puniſhment being mentioned, the Offenders are ſubject only to a year's impriſonment, which proves no check whatever, as their

their families carry on the buſineſs in the mean time; and if they chuſe to ſell *plain Half-pence*, or what are called *Iriſh Harps*, or to mix them with *ſtamped Half-pence*, ſimilar to the current Coin of the Realm, ſo that the ſtamped Coin does not exceed the value of what the denomination imports, it is doubtful whether the conviction will not fail.

8. The Act above mentioned gives a power to Magiſtrates to iſſue their warrants to ſearch in the day time for tools and implements uſed in the *Copper Coinage*, (with regard to Silver or Gold Coinage no ſuch power is given) and what is very ſingular, *no puniſhment whatever can be inflicted by any exiſting law* on the owner or proprietor of ſuch tools for making Copper Money, nor upon the perſon in whoſe houſe they are found; and if when ſuch ſearch is made, there ſhall be found only *plain* Half-pence, or *Iriſh Harps*, or *Half-pence* or *Farthings varying in the Stamp* in any degree from the current Coin of the Realm, ſo as not to be of the exact ſimilitude, the Act in queſtion is defeated, inaſmuch as the crime of felony does not attach to offences ſhort of Coining *Money of the ſimilitude of the current Coin of the Realm.* And hence it is that under all theſe fences againſt the puniſhment of the law, the Coinage of baſe Copper goes on with impunity; becauſe it is the fault of the parties themſelves if ever they permit the law to reach them.

9. The laws now in being give no power to ſeize Counterfeit Half-pence either in the hands of the Dealers who keep a kind of open market at their own houſes every

every morning to ſupply Jew Boys who cry bad Shillings, as well as many others in various trades, who become the channels of circulation to a vaſt extent without riſque or inconvenience. Neither does the Statute Law authorize the apprehenſion of Jew Boys, who go out every morning loaded with counterfeit Copper, which they exchange for bad Shillings, to be afterwards coloured anew, and again put into circulation.

10. Another very prominent evil in the execution of the Mint Laws, is the want of a proper fund for Proſecutions and Rewards, and other expences for detecting Offenders.——The Act of the 7th Queen Anne allowed £600. for proſecuting only, which has never been increaſed by any parliamentary grant for a century; although the offences, as well as the expence of detection and proſecutions have increaſed at leaſt ſixfold.——In this ſituation the energy of the Magiſtrates in detecting Offenders is checked, and their exertions (as has been already obſerved) are crippled for want of pecuniary reſources, or the means of refunding and rewarding thoſe who riſque their lives and expend their money in detecting Offenders.

Neither have ſufficient rewards been provided for apprehending Offenders againſt the Mint Laws: The Reward of £40. is conſtrued to be limited only to the Conviction of actual Coiners, and Clippers of Gold and Silver; and is not allowed to extend to colouring and finiſhing, as well as a number of other offences connected with *making*, *counterfeiting*, and *uttering* baſe Money:—the reward for Copper Coin is limited to £10. which is no encouragement to Officers to do their

Duty. *It would be a great improvement if a liberal Sum were allowed annually by Parliament for detections, proſecutions, and rewards, and to be paid on the report of the Judges who try the offence, according to the merit and trouble of the apprehenders and witneſſes, whether there is a conviction or not.*

11. The laws as they now ſtand are quite ſilent regarding what is called Provincial Copper Coin, or Tokens repreſenting a Half-penny. If a new coinage of Copper Money is not reſolved on by Government, it might perhaps be uſeful to legalize *Tokens* or *Provincial Coins* on three conditions. ☞ 1. *That the Copper of which they are made ſhall be pure.*—2. *That this Coin ſhall be at leaſt* 50 *per cent. heavier than the preſent Mint Coinage.* —3. *That the parties circulating ſuch Coin be reſponſible to the holders for the value in Gold or Silver when demanded: and ſhall ſtamp their names and an obligation to that purpoſe on the Coins, Tokens, or Medals ſo iſſued by them.*——It may alſo be neceſſary that ſuch perſons iſſuing Tokens or Medals ſhould take out a Licence for that purpoſe from the principal Officers of the Mint, as an authority for ſuch Coinage, giving bond and ſecurity at the ſame time that ſuch *Tokens*, or *Medals*, or *Provincial Coin* ſhall be 50 per cent. above the full weight ſpecified for *one Penny*, *one Half-penny*, *or one Farthing*, as the caſe may be, and likewiſe ſecurity to be accountable for the circulating value in Gold or Silver.

12. The laws reſpecting foreign Coin are extremely defective, and productive at preſent of many frauds upon the

the public. The Act of the 14th of Elizabeth, which declared it to be miſpriſion of treaſon to counterfeit foreign Money, has not been put in force for many years.—Counterfeit French Shillings and Half-Crowns, as well as other foreign Coins, are made of baſe Metal, and mixed with counterfeit Britiſh Coin, to the injury of the public. Foreigners are alſo cheated, to the diſgrace of the National Character. *Prohibitions and Reſtraints, under Legiſlative Authority, have become abſolutely neceſſary to prevent the Coinage, and the circulation of every kind of counterfeit Foreign Money. The ſale, or circulation of which does not ſeem to be an offence by any exiſting law.*

13. The puniſhments inflicted on the different offences ſpecified in the Coinage Laws, do not ſeem to be in proportion to the degree of enormity in ſome inſtances, while in others, by being too ſevere, the law is not always put in execution.—The ſale of baſe Money (for inſtance) under the value it doth import, is only puniſhed by a year's impriſonment, although in point of fact, it is well known, that the parties guilty of this offence are the *employers of the Coiners*, who work for theſe Dealers as journeymen, ſubjecting themſelves to the puniſhment of death; while their maſters, with whom this high offence originates, and but for whom it would not have been committed, are only puniſhed for a miſdemeanor.

14. Theſe miſchievous agents of the Dealers in baſe Money, *the perſons who keep flatting mills and other machinery, for mixing, preparing, and rolling their metals,*

for being coined into baſe Money, are not at preſent within the reach of puniſhment by any exiſting law. Although by mixing the metal and preparing it for the ſubſequent proceſs of ſtamping, they are in fact, parties concerned, without whoſe aid the Coinage could not be carried on.—The chief difficulty is in puniſhing perſons for producing an article which may be turned into coach and harneſs ornaments, buttons, and many purpoſes, as well as baſe Money.—Perhaps a licence and bond from ſuch perſons as flatten mixed metals, "that "they ſhall not work for Coiners under a ſevere penalty," might prove ſome check.

But neceſſary as theſe amendments in the mint-laws appear to be, it is ſtill to be feared that until a new coinage of ſilver and copper money ſhall take place, no legiſlative reſtrictions, regulations, or puniſhments, can produce an effectual cure of this enormous evil, although from the many deficiencies which have been detailed, it is evident a great deal of good may be done immediately in this way.

The coinage of new money is a matter which requires a fuller conſideration; but no doubt can be entertained of the indiſpenſible neceſſity of ſuch a meaſure, with regard to ſilver and copper coin as ſoon as circumſtances will admit.

If to a new coinage of *ſhillings* and *ſixpences*, ſhould be added an extenſive coinage of ſilver money of the value of *three-pence*, it would prove a great

a great convenience to the public, and remedy ſome of the abuſes and preſſures which ariſe from the vaſt quantity of baſe copper now in circulation.

The nation might alſo in one point of view derive conſiderable advantages from encreaſing the weight of the copper coin, ſo as to bring it as near as poſſible to the *intrinſic* value of the metal of which it is compoſed.

An arrangement of this ſort would not only be the means of effectually preventing counterfeits; but the copper, being a native article produced in the country, might, through the medium of *coined money*, become a profitable branch of commerce with foreign nations, where even an extenſive circulation might be enſured, in conſequence of the *intrinſic* and *denominative* value being the ſame, or nearly ſo.——

This is exemplified in the policy of Sweden, where the copper dollar being ſo heavy as to anſwer to ſixpence ſterling, has long been exported, and forms a conſiderable, and even a profitable branch of commerce to that nation.

In Ruſſia the *Three Copeę Piece* is very nearly of the weight of ſix Engliſh half-pence, yet its current

rent value is only a ſmall fraction above one penny ſterling;—and thus it is, by iſſuing no copper coin where the *denominative* is not in proportion to the *intrinſic* value, every claſs of dealers who vend the neceſſaries of life are ſhielded againſt loſs, and every unnatural riſe in the prices of proviſions for the ſubſiſtence of the poor is of courſe prevented.

This principle ſeems to have been admitted by the legiſlature; for when the ſubject of copper money was under the conſideration of the Houſe of Commons, at a period not very remote, the Journals ſhew that an opinion then prevailed, "*that the moſt effectual means to ſecure the copper "coin from being counterfeited, was that the denominative value of ſuch coin ſhould bear as near a proportion as poſſible to the intrinſic* value of the metal of which it was formed *."

It is earneſtly to be hoped that this principle will now be followed up, by a new coinage of ſilver and copper money, joined to improved and amended laws, ſo as to ſhield the honeſt part of the community againſt a ſyſtem of fraud, rapid beyond all example in its growth, and unparalleled as to its extent.

* Journal, Houſe of Commons, Vol. xviii—page 178.

For

For certain it is, that baſe Money contributes more to the ſupport as well as to the *encreaſe* of the number of thoſe miſchievous and abandoned members of the community who exiſt *wholly* by different kinds of fraud, than any other device which they purſue, to enable them to live in their preſent ſtate of idleneſs and debauchery, and to indulge in luxury and extravagance.

The increaſe is certainly aſtoniſhing, ſince it is known, that in London and the Country there are 59 actual Coiners. and 56 large Dealers, beſides, at leaſt, 10 Die-ſinkers, whoſe *names*, *characters*, and *purſuits* are at preſent perfectly known. But theſe bear no proportion to the horde of ſmaller Dealers and Utterers of baſe Money in the metropolis, and in all the commercial and manufacturing Towns in the kingdom, whoſe numbers muſt amount to ſeveral thouſands,--who, from being at preſent nuiſances in ſociety, in the conſtant habit of defrauding the public, might be rendered (by the application of the remedies which are propoſed) uſeful members of the ſtate, by exchanging a life of idleneſs and crimes, for a courſe of uſeful labour and induſtry.

CHAP.

CHAP. VII.

Reaſons aſſigned why forgeries and frauds muſt prevail in a certain degree, wherever the interchange of property is extenſive.—A conſiderable check given to the higher claſs of Forgeries, by ſhutting out all hopes of the Royal Mercy:—Petty Forgeries have however increaſed:—The Reaſons aſſigned.—The qualities of a Cheat, Swindler and Gambler explained.—This miſchievous claſs of men extremely numerous in the Metropolis.—The Common and Statute Law applicable to offences of this nature explained:—The great anxiety of the Legiſlature to ſuppreſs the evils of Gaming:—The Miſery and Wretchedneſs entailed on many reſpectable Families from this fatal propenſity:—Often ariſing from the fooliſh vanity of mixing in what is ſtiled Genteel Company where Faro is introduced.—Games of Chance ſtigmatized by the Legiſlature, encouraged by high ſounding names, whose houſes are opened for purpoſes odious and unlawful:—The Civil Magiſtrate called upon by his public duty, as well as by the feelings of humanity, to ſuppreſs ſuch miſchiefs.—The danger ariſing from ſuch Seminaries when ſanctioned by faſhionable names.—No probability of any conſiderations connected with

with illegality, or humanity operating as a check, without the efforts of the Magiſtracy.—The evil tendency of ſuch examples to ſervants in faſhionable Families, who carry theſe vices into vulgar life; and many of whom, as well as perſons of ſuperior education, become Sharpers, Cheats, and Swindlers, from the habits they acquire.—The different claſſes of Cheats and Swindlers, and the various tricks and devices they purſue, to enable them to live in idleneſs by their wits.—Sharpers, Cheats, and Swindlers, divided into twenty-one different Claſſes —1ſt. Sharpers who become Pawnbrokers.—2d. Sharpers who obtain Licences as Hawkers and Pedlars.—3d. Swindlers who open ſhop as Auctioneers.—4th. Swindlers who pretend to diſcount Bills.—5th. Cheats who ſet up Gaming Houſes.—6th. Lottery Inſurers of the higher claſs.--7th. Sharpers and Swindlers who ſet up Fraudulent Lottery Offices.--8th. Itinerant Jews.--9th. Cheats who ſell by falſe Weights and Meaſures.--10th. Swindlers who defraud Tradeſmen of Goods.--11th. Cheats who take Genteel Lodgings with falſe Names, &c.--12th. Cheats who perſonate former Maſters to defraud their Tradeſmen.--13th. Cheats who perſonate Footmen, and order Goods from Tradeſmen.--14th. Cheats and Sharpers who deceive Perſons from the Country.--15th. Cheats and Sharpers who trick Shopmen

and Boys out of Parcels.--16th. Sharpers who attend Inns to pick up Parcels by various tricks and devices.--17th. Cheats who go from door to door, begging on falſe Pretences.--18th. Sharpers ſelling ſmuggled Goods, known by the name of Duffers.--19th. Female Sharpers who attend Court and Public Places.--20th. Female Bankers who lend Money to Barrow-women at 6d. a day for Five Shillings.--21ſt. Cheats who pretend to tell Fortunes—Various Remedies ſuggeſted.

IT is not to be wondered at in a country where commerce and manufactures have arrived at ſuch a height, and where from the opulence of the people the interchange of property is ſo extenſive, that forgeries and frauds ſhould prevail in a certain degree :—the queſtion of difficulty is, *why the laws and the means of prevention have not kept pace with the progreſſive advancement of the country, ſo as to check and keep within bounds thoſe fraudulent practices which prevail in ſo great a degree, and which, in the regular order of the plan of this Work, now falls to be elucidated and explained?*

Forgeries of the higher claſs, ſo dangerous in a commercial country, by the wiſe policy of the executive government in ſhutting out all hopes of the extenſion of the Royal Mercy to convicts of this

this deſcription, have received a moſt ſevere check, beneficial in the higheſt degree to the country, and clearly manifeſted by the trials at the Old Bailey, where offences of this nature certainly do not increaſe.

But it is to be lamented that with regard to petty forgeries and frauds, this is by no means the caſe, for they ſeem to multiply and advance with the opulence and luxury of the country; and to branch out into innumerable different ſhades varying as the faſhions of the year, and as the reſources for the perpetration of this ſpecies of fraud change their aſpect.

When thoſe depraved people who (to uſe a vulgar phraſe) *live intirely by their wits*—find that any of the tricks and devices which they have practiſed for a certain length of time become ſtale, (ſuch as *pricking the belt for a wager*, or *dropping the ring*,) they abandon them, and have recourſe to devices and tricks which are more novel, for the purpoſe of cheating and defrauding the unwary.

One of the moſt prevailing of theſe, at the preſent moment, is the fraud which is practiſed upon ſhopkeepers, tradeſmen, publicans, and others, through the medium of petty forgeries, by the circulation

culation of copper-plate bills for ſmall ſums, of 5l. and 10l. purporting to be drawn by bankers in the manufacturing and ſea-port towns on different bankers in London.

This ſpecies of forgery has been recently carried on to a conſiderable extent, ſuggeſted no doubt by the confidence which is eſtabliſhed from the extenſive circulation of country bankers bills, now made payable in London, by which the deception is, in ſome degree, covered, and the unwary plundered of their property.

The great quality, or leading and indiſpenſible attributes of a *Sharper*, a *Cheat*, a *Swindler*, or a *Gambler*, is to poſſeſs a genteel exterior, a demeanor apparently artleſs, and a good addreſs.

Like other more atrocious depredators upon the public, this claſs (who are extremely numerous) generally proceed upon a regular ſyſtem, and ſtudy as a *trade* all thoſe infamous tricks and devices by which the thoughtleſs, the ignorant, the unwary, and the honeſt part of the community, who unfortunately come in contact with theſe adepts in villainy, are defrauded of their property.

The common law has defined the offence of cheating—

cheating—to be *a deceitful practice in defrauding or endeavouring to defraud another of his known right, by means of some artful device, contrary to the plain rules of common honesty.*

The Statute of the 33d of Henry the Eighth entered into a more specific explanation of what might constitute such an offence, and fixed the mode of punishment by declaring "*that if any person shall "falsely or deceitfully obtain, or get into his hands or "possession, any money, goods, &c. of any other person, "by colour or means of any false privy token, or coun- "terfeit letter, &c.—he shall, on conviction, be pu- "nished by imprisonment, the pillory, or whipping— "saving to the party aggrieved the same power of re- "covering the property as he might have had at "common law, &c.*"

From this remote period, until the 30th of George the Second, the Legislature does not appear to have seen the necessity of enacting any new law applicable to this species of offence.

In the progress however of society and commerce, joined to the consequent influx of riches, producing luxury and extravagance, a larger field opened for cheats and sharpers of every description, insomuch, that the pressure became so great,

and

and the exiſting laws were found ſo inſufficient, as to render it neceſſary to provide a legiſlative remedy.

In applying this remedy, it would ſeem as if the great increaſe of a new ſpecies of cheating practiſed by perſons known in modern times by the name of *Swindlers*, had ſuggeſted the propriety of defining the offence in a manner more applicable to the advanced ſtate of commerce and ſociety, and of rendering the puniſhment more ſevere; for by this act it is declared, "*that all perſons obtaining money, goods, wares, or merchandize, by falſe pretences, ſhall be deemed offenders againſt the law and the public peace, and the Court, before whom any ſuch offender ſhall be tried, ſhall, on conviction, order them to be put in the pillory, or publicly whipped, or tranſported for ſeven years.*"

Thus ſtands the laws at preſent with regard to ſwindlers.*—The offence of cheating rather em-

* It would ſeem that there is a deficiency in the Act of 30th George the Second, in omitting to add *Bank Notes* after the word *Money*, and alſo *Horſes, Cattle, Sheep, or other animals*, after goods, wares, and merchandize; ſince it has been held that Bank Notes are not Money, nor are horſes, cattle, &c. goods, wares, or merchandize, according to legal conſtruction.—An amendment of the law with regard to theſe objects is the more neceſſary, as *Bank Notes* and *Horſes* are, perhaps, more the objects of Swindling, than any other ſpecies of property, and yet it is doubtful how far they fall within the meaning of any exiſting Statute.

braces

braces a wider field, as it extends to thoſe artifices by which ſharpers and perſons of depraved minds obtain money from the ignorant and the unwary, by playing at different games of chance, and hence it is that the laws have provided a variety of additional remedies applicable to this ſpecies of offence, which proves the great anxiety of the legiſlature to ſuppreſs an evil which in all ages has been found to be deſtructive in its conſequences with regard to every thing relating to civil œconomy, and to the peace and happineſs of ſociety.

Gaming is the ſource from whence have ſprung up all that race of cheats, ſwindlers, and ſharpers, whoſe nefarious practices it is the object of the Author to develope in this Chapter.

So early as the reign of Queen Anne, this abandoned and miſchievous race of men ſeem to have attracted the notice of the legiſlature in a very particular degree, for the act of the 9th of Her Majeſty, recites "*that divers lewd and diſſolute per-*
"*ſons live at great expences, having no viſible eſtate,*
"*profeſſion, or calling, to maintain themſelves; but*
"*ſupport theſe expences by Gaming only; enacts that*
"*any two Juſtices may cauſe to be brought before*
"*them, all perſons within their limits whom they ſhall*
"*have juſt cauſe to ſuſpect have no viſible eſtate, pro-*
"*feſſion,*

"*feſſion, or calling, to maintain themſelves by, but*
"*do for the moſt part ſupport themſelves by Gaming,*
"*and if ſuch perſons ſhall not make the contrary ap-*
"*pear to ſuch Juſtices, they are to be bound to their*
"*good behaviour for a twelvemonth, and in default*
"*of ſufficient ſecurity, to be committed to priſon, until*
"*they can find the ſame, and if ſecurity ſhall be given,*
"*it will be forfeited on their playing or betting at*
"*any one time, for more than the value of twenty*
"*ſhillings.*"

If in conformity to the ſpirit of this wiſe ſtatute, ſharpers of every denomination who ſupport themſelves by a variety of cheating and ſwindling practices, without having any viſible means of ſupport, were in like manner to be called upon to find ſecurity for good behaviour in all caſes where they cannot ſhew they have the means of ſubſiſting themſelves honeſtly, the number of theſe peſts of ſociety, under an active and zealous Magiſtracy, would ſoon be diminiſhed if not totally annihilated.

By the 12th of George the Second "*the Games*
"*of Faro, Hazard, &c. are declared to be Lotteries,*
"*ſubjecting the perſons who keep them to a penalty*
"*of two hundred pounds, and thoſe who play to*
"*fifty pounds.*"—*One* witneſs is only neceſſary to prove the offence before any Juſtice of the Peace, *who forfeits ten pounds if he neglects to do his duty:*—

duty:—and by the 8th of George the Firſt, "*the "Keeper of a Faro Table may be proſecuted for a "Lottery, where the penalty is five hundred pounds.*"

Such has been the anxiety of the legiſlature to ſuppreſs Faro Tables and other games of chance, that the ſevereſt penalties have been inflicted, founded on the fulleſt impreſſion of the pernicious conſequences of ſuch practices, and yet to the diſgrace of the police of the metropolis, houſes are opened under the ſanction of high ſounding names, where an indiſcriminate mixture of all ranks are to be found, from the *finiſhed ſharper* to the *raw inexperienced youth*. And where all thoſe evils exiſt in full force which it was the object of the legiſlature to remove.

When a ſpecies of gambling, ruinous to the morals and to the fortunes of the younger part of the community who move in the middle and higher ranks of life is ſuffered to be carried on in direct oppoſition to *a poſitive ſtatute*;—Surely, blame muſt attach ſome where!

The idle vanity of being introduced into what is ſuppoſed to be genteel ſociety, where a faſhionable name announces an intention of ſeeing company, has been productive of more *domeſtic miſery* and more

real diſtreſs, *poverty*, and *wretchedneſs* to *families* in this great metropolis, (who but for their folly might have been eaſy and comfortable,) than many volumes could detail.

A miſtaken ſenſe of what conſtitutes human happineſs, leads the maſs of the people who have the means of moving, in any degree, above the middle ranks of life, into the fatal error of mingling in what is erroneouſly called genteel company, if that can be called ſuch where Faro Tables and other games of hazard are introduced in private families :—Where the leaſt recommendation (and ſharpers ſpare no pains to obtain recommendations) admits all ranks who can exhibit a genteel exterior, and where the young and the inexperienced are initiated in every propenſity tending to debaſe the human character, and taught to view with contempt every acquirement connected with thoſe duties which lead to domeſtic happineſs, or to thoſe objects of utility which can render either ſex reſpectable in the world.

To the horde of ſharpers at preſent upon the town, theſe places of rendezvous furniſh a moſt productive harveſt.

Many of this claſs, ruined perhaps themſelves in early

early life in ſeminaries of the ſame deſcription, to which they fooliſhly reſorted, when vanity predominated over prudence and diſcretion, have no alternative but to follow up the ſame miſchievous trade, and to prey upon the ignorant,—the inexperienced, and the unwary, until they too, ſee the fatal deluſion when it is too late.

When ſuch abominable practices are encouraged and ſanctioned by high-ſounding names,—when ſharpers and black-legs find an eaſy introduction into the houſes of perſons of faſhion, who aſſemble in multitudes together for the purpoſe of playing at thoſe moſt odious and deteſtable games of hazard, which the legiſlature has ſtigmatized with ſuch marks of reprobation, it is time for the civil Magiſtrate to ſtep forward :--and to feel, that in doing that duty which the laws of his country impoſes on him, he is perhaps ſaving hundreds of families from ruin and deſtruction, and preſerving to the infants of thoughtleſs and deluded parents that property which is their birth-right: but which, for want of an energetic police in enforcing the laws made for the protection of this property, would otherwiſe have been loſt, leaving nothing to conſole the mind but the ſad reflection, that with the loſs of fortune, thoſe opportunities (in conſequence of idle habits) were alſo loſt of fitting the unfortunate ſuf-

ſerer for any reputable purſuit in life, by which an honeſt livelihood could be obtained.

In this ſituation the tranſition from the plain gameſter to the fraudulent one, and from that to every other ſpecies of criminality is eaſily conceived: and it is by no means an unfair concluſion to draw, that this has been the fate of not a few who have been early introduced into theſe genteel haunts of idleneſs and vice, who, but for ſuch an education might have become uſeful members of the ſtate.

The accumulated evils ariſing from this ſource are ſaid to have been ſuffered to continue from a prevailing idea, that perſons of rank and their immediate aſſociates were beyond the reach of being controlled by laws made for the maſs of the people, and that nothing but capital offences could attach to perſons of this condition in life.

If theſe evils were merely confined to perſons of rank and fortune, and did not extend beyond that barrier where no general injury could accrue to ſociety, there might be a ſhadow of excuſe (and it would be but a ſhadow) for not hazarding an attack upon the amuſements of the great, where the energy of the executive government to controul their œconomy may be doubtful: but ſurely in the

the preſent caſe, where the miſchief ſpreads *broad* and *wide*, no good Magiſtrate can or ought to be afraid to do his duty, becauſe a faſhionable or high ſounding name ſhall ſanction and promote offences of the moſt miſchievous nature to ſociety at large, as well as to the peace, comfort, and happineſs of families.

If the exertions of the Magiſtracy are to be ſuſpended until the higher ranks ſee the frivolity, —the ſhameful profligacy, and the horrid waſte of uſeful time, as well as the cruel deſtruction of decent and reſpectable families, in that point of view which will operate as an antidote to the evil, it is much to be feared that it muſt, under ſuch circumſtances, become incurable.

But there are other inducements more nearly allied to the occurrences in vulgar life, which renders it in a particular degree incumbent on Magiſtrates to try, at leaſt, whether there is not ſufficient energy in the law to control the hurtful vices of the higher, as well as the middling, and inferior ranks of the people, ſince the examples of the great and opulent operate ſo powerfully among that phalanx of *menial ſervants* they employ, and who carry with them into the lower ranks of ſociety that ſpirit of gambling and diſſipation which they

they have practiſed in the courſe of their ſervitude, producing conſequences of a moſt alarming and miſchievous nature to the general intereſt of the community: for aided by ſuch examples, conſiderable numbers of perſons attached to gambling, become Swindlers, Sharpers, and Cheats, of an inferior claſs, as well as thoſe of ſuperior talents and education, who, from a ſpirit of gambling, or from profligacy, become outcaſts of ſociety, and whoſe various tricks and devices to obtain the means of living in idleneſs, and upon the induſtry and property of others, it may now be neceſſary to explain.

I. *A Claſs of Sharpers obtain Licenſes to become Pawnbrokers* *, and bring diſgrace upon the reputable part of the trade by every ſpecies of fraud which can add to the diſtreſſes of thoſe who are compelled to raiſe money in this way, for which purpoſe there are abundance of opportunities.—This Claſs of Swindling Pawnbrokers are uniformly receivers of ſtolen goods; and under the cover of their licence do much miſchief to the pub-

	Perſons	£
* Number of Pawnbrokers, within the Bills of Mortality, paying a licence of 10l. a year,	213	2130
Idem, in the Country, paying 5l. a year,	431	2155
Total,	644	4285

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lic, which might be prevented, in a great meaſure, by placing the power of granting licences in the hands of the Magiſtrates of the diviſion, upon the footing of public houſes, and rendering it neceſſary for all perſons to obtain a Certificate of character before they can obtain ſuch licence, and alſo to enter into recognizance for good behaviour*.

II. *A Claſs of Sharpers and Swindlers alſo obtain Licences to be Hawkers and Pedlars*, under the cover of which, every ſpecies of villainy is practiſed upon the country people, as well as upon the unwary in the metropolis, and all the great towns in the kingdom, by fraudulent raffles, where plated goods are exhibited as ſilver, and where the chances are exceedingly againſt the adventurers;—by ſelling and uttering baſe money, and frequently

* A regulation of this kind is of great importance to the general good of ſociety, ſeeing that the property of the pooreſt and moſt diſtreſſed part of the community, to the amount of perhaps a million ſterling, is conſtantly in the hands of Pawnbrokers in the metropolis alone! and although of all ranks in the community, it is of moſt conſequence that they ſhould be *honeſt*, *correct*, and even *humane* characters, (and it is to be hoped many of them are of that deſcription) yet certain it is that any perſon, even the moſt notorious rogue or vagabond, who can raiſe ten pounds to pay for a licence, may at preſent ſet up the trade of Pawnbroker, and it is even ſaid that ſome have got licences who have actually been on board the Hulks!—a thing unavoidable under the preſent circumſtances.

falſe

falſe bank notes, which makes one of the moſt profitable branches of their trade;—by dealing in ſmuggled goods, thereby promoting the ſale of articles injurious to the Revenue, beſides cheating the ignorant with regard to the value;—by purchaſing ſtolen goods for country ſale, by which diſcoveries are prevented, and facilities afforded to common thieves and ſtationary receivers.——

By purchaſing ſtolen horſes in one part of the country and diſpoſing of them in another, in the courſe of their journies, in accompliſhing which, ſo as to elude detection, they have great opportunities.—By gambling with E O Tables at Fairs and Horſe-races, and by a number of other devices, which render this claſs of men great nuiſances in ſociety; and point out the neceſſity of either ſuppreſſing them totally, (for in fact they are now no convenience whatever to the public) or to limit the licences only to men of good character, to be granted by the Magiſtrates on their entering into a recognizance in a certain ſum, with one ſurety for good behaviour, by which the honeſt part would be retained, to the excluſion of the fraudulent.

III. *A Claſs of Swindlers who take out Licences as Auctioneers*, and open ſhops in different parts of the metropolis,

metropolis, with a perſon at the door, inviting ſtrangers to walk in; where various articles of ſilver plate and houſehold goods are expoſed to ſale, made up on a ſlight principle, and of little intrinſic value, and where aſſociates are in waiting to bid up the article to a ſum greatly beyond its value, when, upon the firſt bidding of the ſtranger, it is knocked down to him, and the money inſtantly demanded; but the goods on being carried home and examined, are generally found to be very different, in reality, from what their appearance exhibited, and upon a cloſe examination the fraud is diſcovered.

Neither the common law, nor the Act of the 30th of His late Majeſty, ſeem to be ſufficiently *broad* and explanatory to include this ſpecies of offence, and hence it is that this mode of ſelling goods continues with impunity, and ſeems to encreaſe.—It is not, however, meant here to inſinuate that all are fraudulent.—It is to be hoped there may be ſome exceptions, although they may not be numerous. A licence from the Magiſtrates of the diſtrict obliging the parties to find ſecurity, would, in a great meaſure, exclude the fraudulent from this line of buſineſs.

IV. *A Claſs of Swindlers who raiſe money, by*

 pretending

pretending to be Diſcounters of Bills, and Money Brokers, for young men of property, who have loſt their money at play, or ſpent it in expenſive amuſements, and are obliged to raiſe more upon any terms, until their rents or incomes become payable; or who have fortunes in proſpect, as being heirs apparent to eſtates, but who require aſſiſtance in the mean time.

This claſs, availing themſelves of the credit or the ultimate reſponſibility of thoughtleſs and giddy young men, in the eager purſuit of criminal pleaſures, and under the influence of thoſe allurements which Faro Tables, under the ſanction of titled names, hold out—ſeldom fail to obtain from them ſpecialties and obligations for large ſums of money, upon the credit of which they are enabled, perhaps, at uſurious intereſt, to borrow other ſums, or perhaps to diſcount bills, and thus upon the credit of theſe unfortunate cuſtomers, they ſupply them with ſums of money upon the moſt extravagant terms.

Another claſs having ſome capital, advance money upon bonds, title deeds, and other ſpecialties, or upon the bond of the parties having eſtates in reverſion, by which large ſums of money are moſt unwarrantably and illegally, in this, and by a variety

riety of other tricks and devices, wreſted from the diſſipated and the thoughtleſs, which too often entails miſery and diſtreſs upon them afterwards, as long as they live, or drives them, by utter ruin, to acts of deſperation or to crimes.

It would ſeem as if a law were neceſſary, pointing at this particular miſchief, which is certainly an increaſing evil.—Humanity pleads for it; and *policy* points out the neceſſity of ſome more effectual guard againſt thoſe miſeries which it generates; and which could not exiſt in ſo great a degree, were it not for the facilities held out by theſe blood-ſuckers, in affording pecuniary aid to the young and the inexperienced, to be expended in ſcenes of debauchery, or for the purpoſe of gambling.

V. *A Claſs of Cheats who ſet up Gaming Houſes in different parts of the Metropolis*, where Sharpers aſſemble, and where young men of inexperience are allured for the moſt miſchievous purpoſes, and after loſing their property, are furniſhed (if known to be men of fortune) by the maſter of the houſe, and his aſſociates the ſharpers, or the waiters, who accommodate deluded and unfortunate gentlemen merely for the purpoſe of increaſing their miſfortunes, and cheating them of perhaps the whole of their property.

Such abominable villains ought certainly to be held in the greateſt deteſtation, and the vigilance and exertions of the Magiſtracy cannot be better employed than in watching narrowly ſuch peſts of ſociety, and in putting the law in ſtrict execution againſt them.

VI. *A Claſs of Sharpers, who take Lottery Inſurances*, where gambling, among the higher and middling ranks, is carried on to an extent which exceeds all credibility, producing conſequences to many private families, of great worth and reſpectability, of the moſt diſtreſſing nature; and implicating, in this miſery, the innocent and amiable branches of their families, whoſe ſufferings, ariſing from this ſource, while they claim the tear of pity, would require many volumes to recount; but ſilence and ſhame throws a veil over the calamity, while urged by the hopes of retrieving loſſes or acquiring property, in an eaſy way, the evil goes on, and ſeems to increaſe, in ſpite of every guard which the legiſlature has wiſely eſtabliſhed.

VII. *A Claſs, in general, of very depraved or diſtreſſed Characters, who keep unlicenſed Inſurance Offices, during the drawing of the Engliſh and Iriſh Lotteries*; many of whom, during the intervals of ſuch Lotteries, have recently invented and ſet up pri-

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vate Lotteries, or Wheels, called *Little Go's*, containing Blanks and Prizes, which are drawn for the purpoſe of eſtabliſhing *a ground for Inſurance*; by which the fever in the minds of the lower order of the people is kept up, in ſome meaſure, all the year round, producing uncalculable miſchiefs, in as much as the rage and mania is ſo rooted, from habit and a ſpirit of gaming, among the lower ranks, that no domeſtic preſſure, and no conſideration, connected either with the frauds that are practiſed upon them, or with the number of chances that are againſt them, will operate as a check upon their minds.

In ſpite of the high price of proviſions, and notwithſtanding the preſſure univerſally felt by the lower orders of the people, and the care and attention of the legiſlature in eſtabliſhing ſevere checks and puniſhments for the purpoſe of preventing the evil of Lottery Inſurances, theſe criminal agents feel no want of cuſtomers, ſince it is plain that their houſes and offices are not only extremely numerous all over the metropolis, but in general *high rented*, exhibiting the appearance of conſiderable expence, and barricaded in ſuch a manner with iron doors and other contrivances, as in many inſtances to defy the arm of the Law to reach them.

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In contemplating this intereſting circumſtance, with a view to the diſcovery of the cauſe of the great encouragement which theſe Lottery Inſurers receive from the lower orders of the people, ſo as to enable them to ſupport ſuch a certain and enormous expence in houſe rents, and other heavy diſburſements, it would ſeem that their chief emolument is to be traced to menial ſervants in general, all over the metropolis; but particularly to the pampered male and female domeſtics in the houſes of men of faſhion and fortune, who are ſaid, almoſt without a ſingle exception, to be in the conſtant habit of inſuring in the Engliſh and Iriſh Lotteries.

The Claſs of *menials* being in many inſtances cloathed as well as fed by their maſters, have not the ſame preſſure upon them as labourers and mechanics, who muſt appropriate at leaſt a part of their earnings to the purpoſe of obtaining both food and raiment.

With a ſpirit of gambling, rendered more ardent than prevails in vulgar life, from the example of their ſuperiors, and from their idle and diſſipated habits of life, menial ſervants enter keenly into the Lottery buſineſs, and while ill luck attends them, it is much to be feared that too many are led, ſtep by ſtep, to that point where they loſe ſight of the moral

moral principle, and impelled by a desire to recover what they have lost, and to raise money for that purpose, they are induced to sell or pawn the property of their masters, wherever it can be pilfered in a little way, and so as to elude detection, till at length this species of peculation, by being rendered familiar to their minds, too often terminates in more atrocious crimes.

Upon a supposition that one hundred thousand families in the metropolis keep two servants upon an average, and that one servant with another insures only to the extent of twenty-five shillings each, in the English, and the same amount in the Irish Lottery, the aggregate of the whole will amount to half a million sterling!

Astonishing as this may appear at first view, it is believed that those who will minutely examine into the Lottery transactions of their servants, will find the calculation by no means exaggerated; and when to this is added the sums drawn from persons in the middle ranks of life, as well as from the numerous class of labourers and artizans who have caught the mania; it ceases to be a matter of wonder, that so many Sharpers, Swindlers, and Cheats find encouragement in this great metropolis.

It is however believed, that but for the ſupport that menial ſervants in the families of men of rank and fortune afford, theſe peſts of ſociety could not be ſupported in ſuch a manner as to render it an object of profit, equal to the riſk and the expence, and therefore if ſervants at large who are under the controul of maſters, were prevented from following this abominable ſpecies of gambling, a large proportion of the preſent race of rogues and vagabonds who follow this infamous trade, would be compelled to become honeſt, and the poor would be ſhielded from the deluſion which impels them to reſort to this deceitful and fraudulent expedient, at the expence ſometimes of pledging every article of houſehold goods as well as the laſt rag of their own, and their children's wearing apparel, not leaving even a ſingle change of raiment!

This view of a very prominent and alarming evil known to exiſt from a variety of facts well eſtabliſhed, and evinced among others by the pawnbroker's ſhops overflowing with the goods of the labouring poor, during the drawing of the two Lotteries, muſt create a ſtrong deſire on the part of all maſters of families who have ſervants under their controul, to check this deſtructive propenſity ſo as to prevent, as far as poſſible, theſe diſtreſſes and miſchiefs ariſing from fraudulent inſurances, which

which every perſon of humanity muſt deplore; ſince the miſery and loſs of property which ſprings from this deluſive ſource of iniquity, is certainly very far beyond any idea that can be formed of it by the common obſerver *.

A general aſſociation, or perhaps an Act of Parliament, eſtabliſhing certain regulations, applicable to this and other objects, with regard to menial ſervants, would be of great uſe to ſociety.

If a legiſlative regulation could alſo be eſtabliſhed, extending the ſame ſort of reſtrictions to the members of the different friendly ſocieties ſituated within the Bills of Mortality, with regard to fraudulent Lottery inſurances, above *ſeventy*

* In conſequence of a very accurate enquiry which has been made, and of information derived from different ſources, it would appear that fraudulent Lottery Inſurances have not diminiſhed.—The Offices are numerous all over the Metropolis, and are ſuppoſed to exceed two hundred, to many of which there are perſons attached, called *Morocco Men*, who go about from houſe to houſe among their former cuſtomers, and attend in the back parlours of Public Houſes, where they are met by perſons who make inſurances.—It is calculated that theſe offices make inſurances to the extent of *one million two hundred thouſand pounds*, which they receive in premiums during the Iriſh Lottery, and about two millions during the Engliſh, upon which it is calculated that they make from 20 to 30 per cent, profit.

thouſand families would be ſhielded from this deluſive miſchief, which, in its conſequences, has been ſo fatal to the happineſs and comfort of a vaſt number of artiſans and labourers, as well as inferior claſſes of tradeſmen.

Such prohibitions and reſtraints would have a wonderful effect in leſſening the profits of the lottery-office keepers, which, perhaps, is the very beſt mode of ſuppreſſing the evil.—At preſent, the temptation to follow up theſe fraudulent practices is ſo great, from the productive nature of the buſineſs, that unleſs ſome new expedient is reſorted to, no well grounded hope can be entertained under the preſent ſyſtem, of leſſening the evil in any material degree.

VIII. *A Claſs of Cheats of the ſociety of Jews, who are to be found in every ſtreet, lane, and alley, in and near the Metropolis, under the pretence of purchaſing old clothes, and metals of different ſorts*, but whoſe chief buſineſs is to prowl about the houſes and ſtables of men of rank and fortune, for the purpoſe of holding out temptations to the ſervants to pilfer and ſteal ſmall articles, not likely to be miſſed, which theſe Jews purchaſe at about one third of the real value.—It is ſuppoſed that upwards of two thouſand of theſe depraved people are employed in diurnal

diurnal journies of this kind, by which, through the medium of bad money and other fraudulent dealings, many of them acquire property, and then become receivers of ſtolen goods;—thereby (while their labour produces no benefit to the State) employing themſelves in every miſchievous device that can render them nuiſances in ſociety.

It is eſtimated that there are about twenty thouſand Jews in the city of London, beſides, perhaps, about five or ſix thouſand more in the great provincial and ſea-port towns, (where there are at leaſt twenty ſynagogues, beſides ſix in the metropolis;) who exiſt chiefly by their wits, ſeeing that the ſuperſtitious adherence to a particular *mode of living*, and to their *ſabbath*, prevents them from placing out their children as ſervants, or apprentices, or binding their ſons to mechanical employments, or indeed to any uſeful art, by which they can aſſiſt in encreaſing the national property—in place of which they diminiſh it by living upon the induſtry of others, and by eſtabliſhing a ſyſtem of miſchievous intercourſe all over the country, the better to carry on their fraudulent deſigns in the circulation of baſe money,—the ſale of ſtolen goods, and in the purchaſe of metals of various kinds, as well as other articles pilfered and

ſtolen in the provincial towns, which they bring to the metropolis to elude detection.—and vice verſa.

Educated in idleneſs, from their earlieſt infancy, they acquire every debauched and vicious principle which can fit them for the moſt complicated arts of fraud and deception, to which they ſeldom fail to add perjury, whenever it can be of uſe, in ſhielding themſelves or their aſſociates from the puniſhment of the law.——

From the orange boy, and the retailer of ſeals, razors, glaſs, and other wares, in the public ſtreets, to the ſhop-keeper, dealer in wearing apparel, or in ſilver and gold, the ſame principles of action univerſally prevail.

The itinerants utter baſe money to enable them by ſelling cheap to diſpoſe of their goods, while thoſe that are ſtationary, with a very few exceptions, receive and purchaſe, at an under price, whatever is brought them, without aſking queſtions.

The miſchiefs which muſt reſult from the increaſe of this depraved race, ariſing from the natural courſe of population, is ſo obvious, that a remedy cannot be too ſoon applied, in which little doubt can be entertained of obtaining the aſſiſtance of the

the whole body of the Jews of the higher claſs, who cannot but view with horror and diſtreſs the deplorable condition and growing depravity of ſo large a proportion of the lower ranks of their own ſociety, and particularly thoſe belonging to the Dutch ſynagogue, whoſe want of reſource for honeſt employment not only renders them objects of commiſeration but of ſerious attention on the part of the legiſlature.

IX. *A Claſs of Cheats who ſell proviſions and other articles, by means of falſe weights and meaſures,* than which nothing requires the aſſiſtance of the legiſlature in a greater degree to ſhield the poor againſt the numerous tricks that are practiſed upon them, through this medium by ſhop-keepers and itinerants.

The ancient ſyſtem of regulating this uſeful branch of police by the juries of the court leet, having been found ineffectual, and in many reſpects inapplicable to the preſent ſtate of ſociety, an act was made in the laſt ſeſſion of Parliament, (the 35th of George the Third) to remedy the inconvenience with regard to fraudulent weights; but great difficulties have occurred on account of the expence of carrying it into execution, and alſo with regard to its anſwering any uſeful purpoſe without amendments,

amendments.—It would ſeem that the moſt ſimple and obvious as well as the moſt prompt method of remedying the evil, would be to extend to the Magiſtrates the ſame juriſdiction, and eſtabliſh the ſame rules with regard to proving both weights and meaſures, which at preſent prevail with *reſpect to bread*, allowing the expence of removing the weights, and the labour of the perſons employed, to be defrayed out of the county rate upon an order of any two Magiſtrates who ſhould direct the weights and meaſures within the diviſion or diſtrict to be tried.

A ſyſtem ſo formed could not fail to be carried into execution in a prompt and ready manner, and with the ſame effect as is done with regard to the bakers, in which caſe uncalculable benefits would reſult to the lower ranks of the people.

X. *A Claſs of Cheats and Swindlers who aſſociate together and enter into a conſpiracy for the purpoſe of defrauding Tradeſmen of their goods.*—One of theſe Sharpers generally aſſumes the character of a Merchant ;—hires a genteel houſe, with a counting houſe, and every appearance of buſineſs—One or two aſſociates aſſume the appearance of clerks, while others occaſionally appear in livery : and ſometimes a carriage is ſet up, where the ladies

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of the party viſit the ſhops, in the ſtile of perſons of faſhion, ordering goods to their apartments.—Thus circumſtanced, by a variety of thoſe arts and devices which Sharpers have recourſe to, goods are obtained on credit, which are immediately pawned or ſold, and the produce uſed as a deception to obtain more, and procure recommendations by offering to pay ready money,—or to diſcount bills.

When confidence is once eſtabliſhed in this way, notes and bills are fabricated by theſe conſpirators, as if remitted from the country, or from foreign parts, and application is made to their new acquired friends the tradeſmen to aſſiſt in diſcounting them.—Sometimes money and bills upon one another are lodged at the bankers for the purpoſe of extending their credit by referring to ſome reſpectable name for a character.

After circulating notes to a conſiderable amount, and completing their ſyſtem of fraud by poſſeſſing as much of the property of others as it is poſſible to do, without riſque of detection, they move off, aſſume new characters, and when the bills and notes are due, the parties are not to be found.

Offences of this ſort, where an actual conſpiracy cannot be proved, which is generally very difficult,

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are not eaſily puniſhed; and it would ſeem of importance to conſider how far frauds and impoſitions of this ſort and others of the ſame nature, where the confidence of tradeſmen and manufacturers is abuſed by miſrepreſentation and falſhood, ſhould not be defined in ſuch a manner as to render it difficult for the parties to eſcape puniſhment.

XI. *A Claſs of Cheats who take genteel lodgings, dreſs elegantly, aſſume falſe names:*—pretend to be related to perſons of credit and faſhion—produce letters familiarly written to prove an intimacy,—enter into converſation, and ſhew theſe letters to tradeſmen and others, upon whom they have a deſign—get into their good graces; purchaſe wearing apparel and other articles, and diſappear with the booty.

This ſpecies of offence would be very difficult to reach by any exiſting law, and yet it is practiſed in various ſhops in this great metropolis, where tradeſmen are defrauded to a very conſiderable extent.—Some legiſlative guards would certainly be very deſirable, by extending the deſcription of offences ſo as to meet this object.

XII. *A Claſs of Cheats, who having been formerly*

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in the ſervice of Milliners, Mantua-Makers, Taylors, and other traders, who have occaſion to ſend to ſhop-keepers and warehouſemen for goods,--after being diſcharged from ſuch ſervice and getting into the company of ſharpers and thieves, while out of place, they teach them how to perſonate their former employers, in whoſe names they too frequently ſucceed in obtaining conſiderable quantities of goods before the fraud is diſcovered.

It would certainly be a good rule never to deliver goods upon a verbal meſſage, and it would be uſeful if all perſons diſcharging ſervants, would give notice of it to every tradeſman with whom they deal.

XIII. *A Claſs of Cheats who perſonate Gentlemen's footmen, and order goods to be ſent to a genteel lodging, where the aſſociate is in waiting*, who draws upon ſome banker in a diſtant part of the town for the money; and before the fraud is diſcovered, the parties are off, and the maſter transformed into the livery-ſervant to practice in his turn the ſame trick upon ſome other perſon.

Or if the ſtratagem of the check on a banker is refuſed, a country bank-note (the gentleman juſt being arrived in town) is offered to be changed,

which, although a forgery, often ſucceeds: but if it ſhould alſo fail, this miſchievous claſs of people from habit and cloſe attention to the means of deception, are ſeldom at a loſs in finding out ſome other expedient; and before the fraud is diſcovered, the parties have changed both *reſidence*, *name*, and *apparel*, and have aſſumed an appearance and character totally different from the former.

XIV. *A Claſs of Cheats who aſſociate ſyſtematically together, for the purpoſe of finding out and making a prey of every perſon from the country, or any ignorant perſon who is ſuppoſed to have money, or who has come to London for the purpoſe of ſelling goods.*--It is uſual in ſuch caſes for one of them to aſſume the character of a young ſquire, juſt come to his eſtate, to appear careleſs and prodigal, and to ſhew handfulls of bank-notes, all of which are falſe and fabricated for the purpoſe.

Another perſonates the guardian of the ſquire, while a part of the aſſociates pretend to ſit down to play, and having won money of the young ſpendthrift, who appears extremely ignorant and profuſe,--the ſtranger's avarice gets the better of his prudence, and he is induced at length to try his luck:—the reſult is, that he is ſoon left without a penny.

XV. *A*

XV. *A Claſs of Cheats who prowl about in all the ſtreets and lanes of the trading part of the metropolis*, where ſhopmen and boys are carrying parcels, where, by means of various ſtratagems, they find out where the parcels are going, and regulating their meaſures according to the peculiar information they obtain, they ſeldom fail by ſome trick or other, (ſuch as giving the lad a ſhilling to run and call a coach,) to get hold of the property.--Porters and young men from the country ſhould be particularly cautioned never to quit any property intruſted to their care until delivered (not at the door) but within the houſe to which it is directed.

XVI. *A Claſs of Cheats who attend inns*, at the time that coaches and waggons are loading or unloading, and by perſonating *porters* with aprons and knots, and *clerks* with pens ſtuck in their wigs, and by having recourſe to a variety of ſtratagems, according to the peculiar circumſtances of the caſe, aided by their having previouſly noticed the addreſs of ſeveral of the parcels, they ſeldom fail of ſucceſs in the general hurry and confuſion which prevail at ſuch places, which proves how neceſſary it is at all times to have one or two intelligent officers of juſtice, who know the faces of thieves, in attendance while goods are receiving and delivering.

XVII. *A Claſs of Cheats who go from door to door collecting money, purporting to be for a charitable eſtabliſhments* for the benefit of poor children, and other purpoſes, which money, in place of being ſo applied, is generally ſpent in eating and drinking, by the parties who pretend to be thus employed, and the moſt infamous impoſition is thus practiſed upon the charitable and humane, who are the dupes of this ſpecies of fraud in too many inſtances.

XVIII. *A Claſs of Sharpers who are known by the name of Duffers*, who go about from houſe to houſe, and attend public-houſes, inns, and fairs, pretending to ſell ſmuggled goods, ſuch as India handkerchiefs, waiſtcoat patterns, muſlins, &c. when by offering their goods for ſale they are enabled to diſcover the proper objects who may be ſucceſsfully practiſed upon, and if they do not ſucceed in promoting ſome gambling ſcheme, by which the party is plundered of his money, they ſeldom fail in paſſing forged country bank notes, or baſe ſilver and copper in the courſe of their dealings.

XIX. *A Claſs of female Sharpers who dreſs elegantly, perſonate women of faſhion, attend maſquerades, and even go to St. James's*, and from their effrontery, actually get into the circle where their wits

wits and hands are employed in obtaining diamonds, and whatever other articles of value capable of being concealed, are found to be moſt acceſſible.

The wife of a well-known ſharper now upon the town, is ſaid to have appeared at court, dreſſed in a ſtile of peculiar elegance: while the ſharper himſelf is ſuppoſed to have gone in the dreſs of a clergyman.—According to the information of a noted receiver, they pilfered to the value of £1700. laſt King's birth day, without diſcovery or ſuſpicion.

Houſes are kept for female Cheats to dreſs and undreſs for public places.—Thirty or forty of theſe ſharpers generaly attend all maſqurades, in different characters, where they ſeldom fail to get clear off with a conſiderable booty.

XX. *A Claſs of Cheats, or female Bankers, who accommodate barrow-women and others, who ſell fiſh, fruit, vegetables, &c.* in the ſtreets, with five ſhillings a day (the uſual diurnal ſtock in trade in ſuch caſes) for the uſe of which, for twelve hours, they obtain a premium of *ſix-pence* when the money is returned in the evening, receiving thereby at this rate, about *ſeven pounds ten ſhillings a year* for every five ſhillings they lend out!

A police

A police Magiſtrate, on diſcovering this extraordinary ſpecies of fraud, attempted to explain to a barrow-woman on whom it was practiſed, that by ſaving up a ſingle *five ſhillings*, and not laying any part of it out in gin, but keeping the whole, ſhe would ſave £7. 10*s*. a year, which ſeemed to aſtoniſh her and to ſtagger her belief;—but it is to be feared had no effect upon her future conduct, ſince it is evident that this improvident and diſſolute claſs of females have no other idea than that of making the day and the way alike long.—Their profits (which are often conſiderably augmented by dealing in baſe money, in addition to fruit, vegetables, &c.) ſeldom laſts over the day, for they never fail to have a luxurious dinner, and a hot ſupper, with abundance of gin and porter:—looking in general no farther than to keep whole the original ſtock, with the *ſix-pence* of intereſt, which is paid over to the female banker in the evening: and a new loan obtained on the following morning of the ſame five ſhillings again to go to market.

In contemplating this curious ſyſtem of banking, (trifling as it ſeems to be) it is impoſſible not to be forcibly ſtruck with the immenſe profits that ariſe from it, for it is only neceſſary for one of theſe female ſharpers to poſſeſs a capital of *ſeventy ſhillings*, or three pounds ten ſhillings, with four-

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teen ſteady and regular cuſtomers, in order to realize an annual income of one hundred guineas a year!

XXI. *A Claſs of Cheats who pretend to tell fortunes*, and impoſe upon the credulity of the public, by advertiſements and cards, indicating a power from their knowledge of aſtrology, to foretel future events, and to diſcover ſtolen property, or lucky numbers in the Lottery, &c.

The extent to which this miſchief goes in the metropolis is almoſt beyond belief, particularly during the drawing of the Lottery.—Where the folly and phrenzy which prevail in vulgar life lead ignorant and deluded people into the ſnare of adding to the misfortunes which the Lottery occaſions, by additional advances of money (obtained generally by pawning goods or apparel) paid to pretended aſtrologers for ſuggeſting *lucky numbers*, upon which they are adviſed to make inſurances, and under the influence of this unaccountable deluſion they are too often induced to increaſe their riſques and ruin their families.

One of theſe impoſtors who lived long in the Curtain-Road, Shoreditch, is ſaid, in conjunction with his aſſociates, to have made near £300. a year by

by practiſing upon the credulity of the lower orders of the people.—He ſtiled himſelf (in his circulating cards) an *Aſtronomer and Aſtrologer.—That he gave advice to Gentlemen and Ladies on buſineſs, trade, contracts, removals, journeys by land or water, marriages, children, law ſuits, abſent friends, &c.* And further, that *he calculated nativities accurately.*—His fee was half-a-crown.

An inſtance of miſchievous credulity, occaſioned by conſulting this impoſtor, fell lately under the review of a Police Magiſtrate, where a perſon having property ſtolen from him, went to conſult the conjuror reſpecting the thief, who having deſcribed ſomething like the perſon of a man whom he ſuſpected, his credulity and folly ſo far got the better of his reaſon and reflection, as to induce him upon the authority of this impoſtor *actually to charge his neighbour with a felony*, and to cauſe him to be apprehended.—The Magiſtrate ſettled the matter by diſcharging the priſoner, reprimanding the accuſer ſeverely for his folly, and by ordering the conjuror to be taken into cuſtody *as a rogue and vagabond.*

But the deluſion with regard to fortune-tellers is not confined to vulgar life, ſince it is known that ladies of rank, faſhion, and fortune, contribute to the encouragement of this fraudulent profeſſion

feſſion in particular, by their viſits to a pretended Aſtrologer of their own ſex in the neighbourhood of Tottenham-Court-Road, who, to the diſgrace of her votaries, whoſe education ought to have taught them the folly and weakneſs of countenancing ſuch groſs impoſition, finds the practice of it extremely productive.

The act of the 9 George the Second, cap. 5, *puniſhes all perſons pretending ſkill in any crafty ſcience,—to tell fortunes, or where ſtolen goods may be found, with a year's impriſonment, and ſtanding four times in the pillory* (once every quarter) *during the term of ſuch impriſonment. And the act called the Vagrant Act, made the 17th year of the ſame reign, declares ſuch perſons to be rogues and vagabonds, and liable to be puniſhed as ſuch.*

It is ſincerely to be hoped that thoſe at leaſt who are convinced from having ſuffered by the groſs impoſition practiſed upon the credulity of the people by theſe peſts of ſociety, the pretended fortune-tellers, will enable the Civil Magiſtrate, by proper informations, to ſuppreſs ſo great an evil.

Innumerable almoſt are the other tricks and devices which are reſorted to by the horde of cheats, ſwindlers, and ſharpers, who infeſt this great metropolis.

The great increaſe of commerce, and the confidence reſulting from an intercourſe ſo wide and extended, frequently lays men of property and tradeſmen open to a variety of frauds, where credit is obtained by ſubterfuges and devices contrary to the plain rules of common honeſty, againſt which however there is no other remedy but by a civil action.

If it were poſſible to look accurately at the different evils ariſing from ſwindling practices, ſo as to frame a ſtatute that would generally reach all the caſes that occur whenever the barrier of moral honeſty is broke down, it would certainly be productive of infinite benefit to ſociety; for in ſpite of the laudable exertions of the ſociety eſtabliſhed for proſecuting ſwindlers, it is to be lamented that the evil has not diminiſhed.—On the contrary, it has certainly increaſed, and muſt continue to do ſo until the legiſlature, by an applicable law and by an improved ſyſtem of police, which ſhall, by either directly or collaterally attaching to theſe offences, prove the means of ſuppreſſing them.

CHAP.

CHAP. VIII.

Receivers of ſtolen goods more miſchievous than thieves: —the latter could not exiſt without the aſſiſtance of the former:—The ſuppreſſion therefore of Receivers would reſtore to ſociety, and to honeſt induſtry, a great number who at preſent live by crimes.--The increaſe of Receivers of ſtolen goods to be attributed to the imperfection of the laws, and to the disjointed ſtate of the police of the metropolis.--The number of common Receivers does not exceed ſixty, of whom not above ten are perſons of property able to purchaſe valuable articles.--Thieves, in many inſtances, ſettle with Receivers before they commit robberies:--Receivers always benefit more than Thieves:--Their profit is immenſe:--They are divided into two claſſes.--The immediate Receivers connected with Thieves, and thoſe who keep ſhops and purchaſe from pilferers in the way of trade:--The latter are extremely numerous.---The laws are inſufficient effectually to reach either claſs.---The exiſting ſtatutes examined and briefly detailed, namely, the 3d and 4th of William and Mary.---The 5th of Anne, 4 George I, 29th and 30th George II. and the 2d, 10th, 21ſt and 22d of his preſent Majeſty.---Obſerva-

tions on theſe reſpective ſtatutes.---Amendments and improvements ſuggeſted.—A remedy propoſed to enſure their due execution.

HAVING in the ſeven preceding Chapters completed the propoſed explanation of the various depredations and frauds upon the public, which conſtitute the aggregate of *two millions ſterling* of property, ſuppoſed to be embezzled, and ſtolen, or robbed in the courſe of a year in and about this great metropolis: it remains now, in the order of the plan, to examine and follow up the progreſs of this property from the hands of the *thieves* and *robbers* to that of the *Receivers*, or firſt purchaſers of ſtolen goods.

In contemplating the characters however of both theſe claſſes, there can be little heſitation in pronouncing the *receivers* to be the moſt *miſchievous of the two*, inaſmuch as without the aid they afford in purchaſing and concealing every ſpecies of ſtolen property, thieves, and robbers muſt quit the trade, as unproductive and hazardous in the extreme.

Nothing therefore can be more juſt than the old obſervation, "*that if there were no receivers there would be no thieves.*"—Deprive the thief of a ſafe and

and ready market for his goods, and he is undone.

Let the ſtrong arm of the law, and the vigor and energy of the police, be directed in a particular manner againſt the *receivers*; and the chief part of theſe robberies and burglaries, which are ſo much dreaded, on account of the acts of violence which attend them, *would abſolutely ceaſe to exiſt*:—and the reſource for plunder being thus narrowed in ſo great a degree, robberies on the highway would *alone* ſeldom anſwer the purpoſe of the adventurer, where the riſque would be ſo exceedingly multiplied, while the advantages were in the ſame proportion diminiſhed;—the reſult therefore would be, that in *the ſuppreſſion of the receivers*, the encouragement to become thieves and robbers would be taken away, and the preſent depredators upon the public muſt either return to honeſt labour as uſeful members of the ſtate, or ſubmit to be ſtarved.

Obvious and deſirable however as a meaſure of this ſort would be, it has heretofore never been put in practice, owing to a variety of cauſes principally ariſing from the diſjointed ſtate of the police of the metropolis, occaſioned by a number of juriſdictions claſhing with one another, and preventing the full operation of that ſyſtem of vigilance and energy which,

which, with the aid of appoſite and improved laws, could not fail either to root out every receiver of ſtolen goods of any conſequence, who at preſent infeſts the metropolis, or compel them to abandon their miſchievous trade.

Theſe obſervations apply to that claſs of receivers alone, who are in immediate connection with the thieves, burglars, and highway robbers ;—and who aid and aſſiſt them in the purchaſe and concealment of whatever is ſtolen.—From the beſt information that can be obtained their number does not exceed *fifty or ſixty in all*, of whom not more than ten, (whoſe names and places of abode are well known) can be ſaid to be perſons of property, who can raiſe money to purchaſe articles of value.

Aided by a well organized ſyſtem of police that would pervade the whole metropolis, how eaſy would it be, by a thouſand embarraſſments, to compel theſe large dealers to abandon the trade ?—the meaſure of watching their houſes day and night, would coſt no great ſum, and would embarraſs the thieves and burglars more than any other ſyſtem that could be purſued.

It rarely happens that thieves go upon the highway, or commit burglaries, until the money they have

have previouſly acquired is exhauſted.—Having laid their plans for new depredations, a negociation is frequently entered upon with the moſt favourite receiver, who (to uſe their own language) is likely to be *ſtaunch*, and to keep their ſecrets.—The plan is explained, and the hour fixed when they are to return with the booty; if plate is expected, the crucible is ready in a ſmall furnace, built for the purpoſe, inſtantly to melt it, and arrangements are made for the immediate concealment of the other articles.

There are, however, exceptions to this rule, where the receivers are not truſted till the booty is acquired, and where it is in the firſt inſtance removed to the houſes of the thieves, or to ſome of their friends, but it ſeldom remains longer than may be neceſſary to obliterate the marks; for money muſt be procured. All thieves are improvident;—their wants are therefore preſſing—they muſt ſell—the receiver knows this, and makes his own terms;—and he of courſe enjoys by far the largeſt ſhare of the profit.

The plunder which is thus purchaſed, finds a ready vent through the extenſive connections of the Jew dealers both in this country and upon the Continent:—and after what has been ſtated relative

to

to the aggregate of the plunder in the courſe of a year, it may be eaſily conceived that the trade is not only extenſive but that the profit is immenſe, ſince it rarely happens (except in the article of plate) that thieves receive above one third or one fourth of the value of what is ſtolen.

The maſs of the receivers of ſtolen property in and near the metropolis divide themſelves into two claſſes—Namely——

1. The Dealers already mentioned who are immediately connected with profeſſed and notorious thieves, and who are their principal ſupporters, eſpecially when apprehended and under proſecution, and without whom they could not carry on the trade. A certain proportion of theſe have themſelves been originally thieves upon the town, *acquitted, pardoned, or diſcharged from the Hulks*, who, finding the trade of a receiver leſs hazardous and more profitable than that of a thief, they prefer it, and to cover the fraud generally ſet up *Chandlers-ſhops, Coal-ſheds, Potatoe-warehouſes*, or *Old Iron ſhops*, and not ſeldom become *Maſters of Public Houſes*, that they may appear to have ſome *viſible* means of obtaining a livelihood. Thoſe who have not been originally thieves generally keep ſhops in different branches of trade, ſome of whom are very opulent.

2. The Dealers in *Old Iron—Rags—Old Wearing Apparel —Ships Stores—Junk, and Handſtuff—Buyers, Refiners, and*

and Workers of Gold and Silver—Dealers in Second-Hand Furniture, and Building Materials, and that Claſs of Sharping Pawnbrokers, who have Connections with Criminal People. *

Theſe Dealers are extremely numerous, extending to ſeveral thouſands in the metropolis alone, ſome of whom are *Innocent Receivers*, not aware that they are purchaſing ſtolen articles:—others, *Careleſs Receivers*, aſking no queſtions, and purchaſing every thing that is offered:—and a large proportion *Criminal Dealers*, who alſo purchaſe every thing that is offered in the way of trade, well knowing from the price, and other circumſtances, that the property has been originally ſtolen.

As the laws now ſtand, (numerous and pointed as they appear to be) it has been found from experience, that neither of theſe claſſes can be eaſily reached, and hence it is that they have multiplied in ſo great a degree, (particularly the ſmall receivers) within the laſt twenty years, and have reigned with impunity, affording every kind of facility to pilferers and thieves of every deſcription, from the infant to the adult, to the deſtruction of the morals of a vaſt body of the lower orders of the people.

For the purpoſe of ſuggeſting an effectual legiſlative remedy, it may be neceſſary to examine ſhortly the laws now in being, which are applicable to this particular offence.——

* See Pages 20, 50, 51, 52, and 104.

By the Statute of the 3d and 4th of William and Mary, Cap. 9, it is enacted, "*that Receivers of ſtolen Goods, knowing them to be ſtolen, ſhall be deemed acceſſaries after the fact.*"——

But this offence being dependent on the fate of the principal,—a receiver thus circumſtanced could not be tried till after the conviction of ſuch principal, ſo that however ſtrong and concluſive the evidence might be, the receiver was ſtill ſafe, unleſs the thief could be apprehended—and even if apprehended and put upon his trial, if acquitted through any defect of evidence, the receiver, although he had actually confeſſed the crime, and the goods in his poſſeſſion could be proved to be ſtolen, muſt be acquitted alſo;—and this offence, even if completely proved, applied only to capital felonies and *not to petit larceny.*

Theſe defects were afterwards foreſeen, and partly remedied by the Statute of the 5th Queen Anne, Cap. 31, which enacts, "*that Buyers and Receivers of ſtolen Goods, knowing them to be ſtolen, may be proſecuted for a miſdemeanor, and puniſhed by fine and impriſonment though the principal be not previouſly convicted of felony.*"

This Act alſo greatly improved the Laws applicable

cable to this ſpecies of offence, *by empowering the Court to ſubſtitute a corporal puniſhment inſtead of fine and impriſonment, and by declaring, that if the felony ſhall be proved againſt the thief, then the acceſſary receives judgment of death; but the benefit of Clergy is reſerved.*

The preſſure ſtill increaſing, and theſe laws being found inſufficient, the ſtatute of the 4th of George the Firſt, cap. 11, enacted "*that Receivers of ſtolen Goods, knowing them to be ſtolen, ſhould, on conviction, be tranſported for fourteen years, and buying at an under value to be preſumptive evidence of ſuch knowledge:*"—and the ſame ſtatute *makes it felony, without benefit of Clergy, for any perſon directly or indirectly taking a reward for helping any perſon to ſtolen Goods, unleſs ſuch perſon bring the felon to his trial and give evidence againſt him.*

But ſtill theſe amendments proved ineffectual, and not being found to apply immediately to perſons receiving ſtolen *lead, iron, copper, braſs, bell metal or ſolder* taken from buildings, or from ſhips, veſſels, wharfs, or quays.—It was enacted by the 29th of George the Second, cap. 30. "*that the Receivers of ſuch articles, knowing the ſame to be ſtolen, or who ſhall privately purchaſe theſe reſpective metals, by ſuffering any door, window, or ſhutter to be left open be-*

twcen ſun-ſetting and ſun-riſing, or ſhall buy or receive any of the ſaid metals in a clandeſtine manner, ſhall, on conviction, be tranſported for fourteen years, although the principal felon has not been apprehended or puniſhed. Sec. 1.

The ſame act *empowers one Juſtice to grant a warrant to ſearch in the day time for ſuch metals ſuſpected to be ſtolen, as by the oath of one witneſs may appear to be depoſited or concealed in any houſe or place; and if goods are found, the act goes ſo far as to empower two Juſtices to adjudge the perſon having the cuſtody of the ſame, guilty of a miſdemeanor, if he cannot produce the party from whom he purchaſed, or give a ſatisfactory account how they came into his poſſeſſion, and forfeit forty ſhillings, &c.* Sec. 2.

This act alſo empowers *officers of juſtice (and watchmen while on duty) to apprehend all perſons ſuſpected of conveying any ſtolen metals, as already deſcribed, after ſun-ſet or before ſun-riſe; and if ſuch perſons cannot give a good account of the manner by which they were obtained, two Magiſtrates are in like manner authorized to adjudge them guilty of a miſdemeanor, and they forfeit forty ſhillings, &c.* Sec. 3.

The perſons alſo to whom ſuch articles are offered for

for ſale or to be pawned, where there is reaſonable ground to ſuppoſe they were ſtolen, are empowered to apprehend and ſecure the parties and the materials, to be dealt with according to law. And if it ſhall appear, even on the evidence of the thief, corroborated by other teſtimony, that there was cauſe to ſuſpect the goods were ſtolen, and that the perſon to whom they were offered, did not do his duty in apprehending the perſon offering the ſame, he ſhall be adjudged guilty of a miſdemeanor, and forfeit twenty ſhillings, Sec. 5. —And ſo anxious has the legiſlature been to ſuppreſs the evil of ſtealing and receiving metals, that the 8th Section *entitles the actual thief to a pardon on the diſcovery and conviction of two or more of the receivers.* And the 9th Section *ſcreens from proſecution any perſon ſtealing ſuch metals, who ſhall diſcover the receiver to whom the ſame were delivered, ſo as a conviction might follow.*—But in ſpite of theſe numerous and apparently effectual checks, it is to be lamented that the evil increaſes every day.

On the following year, namely, the 30th of George the Second, another act paſſed (cap. 24.) *making it lawful for any pawnbroker or any other dealer, their ſervants, or agents, to whom any goods ſhould be offered to be pawned, exchanged, or ſold, which ſhould be ſuſpected to be ſtolen, to ſeize and detain*

detain the perſons offering the ſame, for the purpoſe of being examined by a Juſtice, who is empowered, if he ſees any grounds to apprehend that the goods have been illegally obtained, to commit the perſons offering the ſame to priſon for a period not exceeding ſix days; and if on further examination, the Juſtice ſhall be ſatisfied that the goods were ſtolen, he ſhall commit the offender to priſon, to be dealt with according to law; and although it may, under ſuch circumſtances, afterwards appear that the goods in queſtion were fairly obtained, yet the parties who ſeized the ſuppoſed offender ſhall be indemnified.

It would have been uſeful if the principles of the firſt of theſe excellent acts had extended to every kind of goods and chattels, *horſes*, *cattle*, *money* and *bank-notes*,* as well as to the metals therein deſcribed: but it is to be lamented, that the ſyſtem has not been to look at great features of abuſe in *the groſs*, ſo as to meet every exiſting preſſure at once, and therefore another partial ſtatute was made in the ſecond year of the reign of his preſent Majeſty, extending the proviſions of the 29th of the late King to goods, ſtores, or materials taken from ſhips in the River Thames, by enacting "*that all perſons purchaſing ſuch goods, knowing them to be ſtolen, on receiving the ſame in a concealed or clandeſtine manner between ſun-ſetting and ſun-riſing, ſhall*

* See Page 16.

be

be tranſported for fourteen years, although the principal felon be not convicted :" but by the wording of this act, it is doubtful if it applies to receiving goods ſtolen from veſſels not afloat in the River.*

The next ſtatute applicable to the receivers of ſtolen goods, is that made in the 10th year of the reign of his preſent Majeſty, cap. 48. where it is enacted, "*that the receivers of jewels, gold, ſilver, plate or watches, knowing the ſame to be ſtolen, where ſuch ſtealing was accompanied by a burglary or high-way robbery, may be tried as well before as after the principal felon is convicted, or in or out of cuſtody, and if found guilty, ſhall be tranſported for fourteen years.*"

Eleven years after the paſſing of the above-mentioned ſtatute, the legiſlature, appearing to be impreſſed with the great extent of the depredations committed by perſons ſtealing *pewter pots*, † and appearing deſirous to puniſh the receivers, the ſtatute of the 21ſt of George the Third, cap. 69.

* It has been held in the trial of Moſes Pike, at the Old-Bailey, in May 1784, that to ſteal from a barge aground in Limehouſe-Dock, was not within the meaning of the act of the 24th of George the Second, cap. 25. which makes it felony to ſteal from any veſſel or craft upon a Navigable River, &c.

† See Page 45, where the actual loſs to the Publicans in London and the vicinity, is eſtimated at £55,000. ſterling a year!

enacts,

enacts, "*that every perſon who ſhall receive any pewter pot or other veſſel, or any pewter in any form or ſhape whatſoever, knowing the ſame to be ſtolen, or who ſhall privately buy or receive ſtolen pewter in a clandeſtine manner, between ſun-ſetting and ſun-riſing, ſhall, on conviction, be tranſported for ſeven years, or detained in the houſe of correction, at hard labour for a term not exceeding three, nor leſs than one year, although the principal felon has not been convicted.*"

In the following Seſſion of Parliament, the ſtatute of the 22d of His Majeſty (ſaid to have been framed by an able and experienced Lawyer and Magiſtrate *) removed many of the imperfections of former ſtatutes, and particularly that which reſpected Petty Larceny, by enacting, "*that where any goods (except lead, iron, copper, braſs, bell metal, or ſolder) have been ſtolen, whether the offence amount to Grand Larceny, or ſome greater offence, or to Petty Larceny only, where the offender has been convicted of Grand Larceny, or ſome greater offence—every perſon who ſhall buy or receive the ſame, knowing them to be ſtolen, ſhall be guilty of a miſdemeanor, and puniſhed by fine, impriſonment, or whipping, as the Court ſhall think fit, although the principal be not convicted; and if the felony amounts to Grand Larceny, or ſome greater offence, and the perſon committing ſuch felony has not been before convicted, ſuch offen-*

* Mr. Serjeant ADAIR, then Recorder of London.

der

der ſhall be exempted from being puniſhed as acceſſary, if the principal ſhall be afterwards convicted.

This act alſo impowers *one Juſtice to grant a warrant to ſearch for ſtolen goods in the day time, on oath being made that there are juſt grounds of ſuſpicion, and the perſon concealing the ſaid goods, or in whoſe cuſtody they are found, ſhall in like manner be guilty of a miſdemeanor, and puniſhed in the manner before-mentioned.*

The ſame act extended the powers granted by former acts relative to metals, *to any other kind of goods, by authorizing peace-officers (and alſo watchmen while on duty) to apprehend all perſons ſuſpected of carrying ſtolen goods after ſun-ſetting and before ſun-riſing, who ſhall, on conviction, be adjudged guilty of a miſdemeanor, and impriſoned, not exceeding ſix, nor leſs than three months.*

Power is alſo given by this act *to any perſon to whom goods, ſuſpected to be ſtolen, ſhall be offered to be ſold or pawned, to apprehend the perſon offering the ſame, and to carry him before a Juſtice.*

And as an encouragement to young thieves to diſcover the receivers, the ſame act *extends His Majeſty's pardon to all perſons under fifteen years of*

age who ſhall have committed any felony within the benefit of Clergy, and ſhall (whether in cuſtody or not) diſcover two or more who have bought or received any ſtolen goods, ſo as they may be proſecuted to conviction.

Theſe various acts of Parliament prove how very prominent the evil of receiving ſtolen goods has been in the view of the legiſlature.—It is to be lamented however, that a more general and comprehenſive view has not been taken of the ſubject, ſo as to have ſubſtituted, in place of the piece meal ſyſtem which has been from time to time adopted on ſuggeſtions applicable only to particular caſes, *one general law that ſhould have* embraced every object, and remedied every defect in the exiſting ſtatutes, ſo, as if poſſible, to prevent one of the greateſt public wrongs, connected with the ſyſtem of criminal juriſprudence.

That theſe laws, numerous and applicable as many of them appear to be, have not been in any degree effectual, is clearly manifeſted by the unqueſtionable increaſe of the evil, even to an extent beyond all calculation.

Under ſuch circumſtances, where the receiver is in reality the greateſt offender, and even the ſource

ſource from whence moſt of the burglaries and highway robberies have their origin.—*Why ſhould it not be made an original offence?* *—Why ſhould not the *rewards for detection*, and *the puniſhment on conviction be the ſame?*

The thief is often a paltry offender in compariſon to the receiver, and not ſeldom his pupil.

In contemplating the beſt means of preventing depredations upon the public, the ſimpleſt, and perhaps the moſt effectual mode would be *to make a ſtand at this particular point*, by bending the attention *wholly* to the means of deſtroying effectually *the trade of receiving ſtolen goods*, under the fulleſt conviction that by accompliſhing ſo valuable a purpoſe, the trade of thieving in all its branches would alſo in a great meaſure be deſtroyed.

It is believed, that this object (difficult as it may appear) is attainable, by well digeſted applicable laws, and ſuch regulations as would enſure a full and energetic execution.

* The general rule of the ancient law is this, that acceſſaries ſhall ſuffer the ſame puniſhment as principals.—If one be liable to death, the other is alſo liable.

BLACKSTONE.

In France (before the Revolution) the offence of receiving ſtolen goods was puniſhed with death.

The importance of a meaſure of this kind is ſo immenſe, that if even a whole Seſſion of Parliament was employed in deviſing and legalizing a proper ſyſtem, it would be time well and uſefully employed for the benefit of the country, in as much as it would reſtore to the nation many thouſands, who, in place of living in idleneſs, and preying upon the induſtry of others, would themſelves be compelled to become induſtrious, and thereby contribute their ſhare to the reſources of the State.

The obvious remedy ſeems to lie within a narrow compaſs, and having been partly ſuggeſted in the courſe of this Work, may be ſummed up under the following heads.—

I. To conſolidate and improve the laws now in being relative *to Receivers of ſtolen Goods*, by an arrangement which ſhall render the whole *clear* and *explicit*, and applicable to all the objects of preſſure which have been felt to exiſt.

II. To make the following additions, namely—

1. To make the receiving ſtolen goods an *original offence*, puniſhable in the ſame manner as the principal felons are puniſhed by law.

2. The offence of receiving *money*, *bank-notes*, *horſes*, *cattle*, *poultry*, or *any matter* or thing whatſoever, to be the ſame as receiving goods and chattels.

3. The perſons committing any felony or larceny to be competent

competent to give evidence againſt the receiver, and *vice verſa*, provided that the teſtimony and evidence of ſuch principal felon againſt the receiver, or the evidence of the receiver againſt the principal felon, ſhall not be of itſelf ſufficient to convict without other concurrent evidence, and provided alſo that the offenders ſo giving evidence (whether the *principal felon* or the *receiver)* ſhall be entitled to His Majeſty's pardon, and alſo the reward of 10l. to 50l. hereafter mentioned, unleſs they ſhall appear to have been found guilty of wilful and corrupt perjury.—*By this means, the thief will be ſet againſt the receiver and the receiver againſt the thief*—and each will be encouraged to diſcover one another, by pardons and rewards.

4. That rewards be paid for the detection and apprehenſion of receivers as well as thieves, in all caſes whatſoever, according to the diſcretion of the judge, whether there ſhall be a conviction or not, which rewards ſhall not be leſs than *ten* and may extend to *fifty pounds*.

5. That all Dealers in *Old Metals, Rags, and Handſtuff, Second-hand Naval Stores, Second-hand Wearing Apparel, Itinerant Dealers in Wearing Apparel and Metals, Perſons keeping Crucibles and Melting Pots, Perſons keeping Draught or Truck Carts to remove Metals or Stores*, ſhall be licenſed annually by Magiſtrates, and put under certain regulations, and to enter into recognizance for good behaviour: and no licences to be granted to perſons convicted of felony or perjury. *

6. That all *Publicans, Pawnbrokers, Watchmakers, Buyers of Gold and Silver, Refiners of Gold and Silver, Working*

* Vide Chap. II. page 55.

and

and other Silverſmiths, Dealers in Second-hand Furniture, Brokers in Second-hand Goods, Dealers in Old Building Materials, and Dealers in Dead Horſes, and other Animals, and Narrow Weavers dealing in Raw Silk, ſhall annually make a return to the Magiſtrates of the diſtrict where they reſide, of their names and places of abode, and be ſubject to a penalty for concealing any ſtolen goods which may come into their poſſeſſion, after the ſame is advertiſed;—or puniſhed with tranſportation, if it can be made appear that ſuch goods were purchaſed at an under-value, knowing them to be ſtolen. *

7. That all drivers of hackney coaches, employed to take fares after twelve o'clock at night, ſhall be licenſed by the Magiſtrates of the diviſion, and ſhall enter into recognizance for good behaviour, and ſhall be obliged, whenever they carry any article of goods, to make a report of the ſame, on the following morning, to the Magiſtrate of the diſtrict where ſuch hackney coachman reſides, if no ſuſpicion ariſes as to any improper or felonious intention; but in all caſes where ſuch felonious intention ſhall appear, the ſaid coachman is hereby authoriſed and required to call the aſſiſtance of the watchmen and patroles, and to ſeize and apprehend the parties, and lodge them and the goods conveying in the hackney coach to the neareſt watch-houſe, there to be kept until brought before a Juſtice, at the Public Office of the diſtrict, on the following morning, and although it may ultimately appear that the coachman was miſtaken and the parties innocent, yet where it ſhall be

* Vide Chap. V. pages 98, 99, and 104.

manifeſt

manifeſt to the Juſtice that he acted bona fide, he ſhall not be liable to any proſecution, * and if it ſhall appear that the goods ſo conveyed were ſtolen property, then the coachman will be entitled, whether a conviction ſhall follow or not, to a reward of two guineas, and in all caſes where a proſecution ſhall follow, he ſhall be entitled to ſuch further reward as the Court ſhall think proper. †

8. That all watchmen or patroles who ſhall appear upon proper proof to connive at the commiſſion of felonies ‡ in the night time, or while on duty, or ſhall knowingly conceal any felonious removal of ſtolen goods, or goods ſuſpected to be ſtolen, and convey to receivers' houſes in the night time, or before day light in the morning, or while they are upon duty, ſhall be deemed guilty of a miſdemeanor, and liable to be *impriſoned*, *whipt*, or put in the pillory.—And in all caſes where ſuch watchmen or patroles ſhall obſerve any goods or other ar-

* Vide page Act 30. Geo. II. cap. 24, alſo pages 193 and 194.

† Vide Chap. V. page 100.

‡ An Officer of Police who was lately watching the houſe of a noted Receiver, in St. James's pariſh, being taken for a thief by the watchman, the latter entered into converſation with him, and naming the Receiver, he told the officer that he being very liberal and kind to them, they did not diſturb any perſon going to his houſe, and if he had any thing to carry there, he would ſtep out of ſight ſo as to be able to ſay he had ſeen nothing.—☞ It is in this manner the community is treated by perſons who are ſupported at the public expence, for the avowed purpoſe of preventing theſe crimes which they ſeem to promote.

ticles

ticles conveyed in hackney coaches, or in any other manner, from twelve o'clock at night to ſix o'clock in the morning, from one place to another, they ſhall report the ſame to the Juſtices at the neareſt Public Office, in the morning, unleſs they ſhall have good grounds to ſuſpect a felonious intention, and that the property is ſtolen, in which caſe the goods and all the parties concerned ſhall be conveyed to the neareſt watch-houſe, for the purpoſe of being brought before a Magiſtrate, and ſuch watchmen (acting bona fide) ſhall not be liable to any proſecution in caſe of a miſtake,* and if a felony ſhall have been committed, they ſhall each be entitled to one guinea for their fidelity and trouble, beſides their proportion of any future reward which may be ordered by the Court who ſhall try the offenders. †

But in the organization of ſuch a ſyſtem, care muſt be taken to ſecure a *regular* and perfect *execution*, by means of a proper ſuperintendance and inſpection;—without this, the beſt laws will remain a *dead letter*.—Such has been the caſe in a great meaſure with reſpect to ſeveral of the very excellent Statutes, relative to receivers of ſtolen goods, which have now been briefly detailed; and ſuch alſo would be the caſe with regard to the laws relative to the revenue, if a ſyſtem had not been eſtabliſhed to ſecure their execution.

* Vide Chap. V. pages 101, 102, and 103.

† Vide Act 30. Geo. II. cap. 24.

If

If the prevention of crimes is of ſo much importance to ſociety as to be at leaſt equal to any conſideration, connected with partial revenue.—If experience has ſhewn that after the ſkill and ingenuity of the ableſt lawyers and the moſt profound thinkers have been exhauſted in framing laws to meet offences, which are daily in the progreſs of being committed; that theſe offences are progreſſively increaſing.—Is it not clear to demonſtration that ſome *active principle* is wanting, which does not at preſent exiſt for the purpoſe of rendering theſe laws effectual?——

This principle of activity is only to be eſtabliſhed by the introduction of a ſyſtem of *regulation*, which ſhall attach to all claſſes of dealers, who, in their intercourſe with ſociety, are in the train of encouraging, either directly or collaterally, tranſactions of *an immoral*, *a fraudulent*, or *a miſchievous nature*.

The idea is not new in the ſyſtem of the juriſprudence of the country, ſince publicans have been long under regulations preſcribed by Magiſtrates, and alſo ſince pawnbrokers have been of late years regulated to a certain extent by a particular ſtatute.—Let the ſame principle be extended to the dealers already mentioned, and let the legiſ-

lature, profiting by that experience which has manifeſted the inefficacy of a vaſt number of penal ſtatutes, without the means of carrying them effectually into execution, eſtabliſh ſuch a ſyſtem of *regulation*, *inſpection*, and *ſuperintendance*, as will inſure to the public the full benefits ariſing from good laws adminiſtered with activity, purity and diſcretion.——

Nothing can evince in a greater degree the neceſſity of inſpecting the execution of all *laws of regulation* where the well being of ſociety is concerned, as the abuſes which occur with regard to the two claſſes which have juſt been mentioned, namely, public houſes and fraudulent pawnbrokers. —Many excellent rules are eſtabliſhed by the legiſlature, and the Magiſtrates; but while it is ſeldom the intereſt of the depraved or diſhoneſt part of theſe two claſſes to adhere to ſuch rules, by what means is the execution to be inſured ſo as to operate as a complete protection to the public?—ſurely not by the operation of the law through the medium of common informers, ſince independent of the invidious nature of the office, experience has ſhewn that the public good never enters into the conſideration of perſons of this deſcription, who look merely to their own emolument, frequently holding up the penalties as a rod by which money is privately extorted,

torted, and the parties laid under contribution, for the purpoſe of allowing them to continue in the practice of theſe abuſes which the engine which is uſed for this nefarious purpoſe was meant to prevent.

A ſyſtem of inſpection, while it remedied theſe corrupt practices by preventing the exiſtence of the evil, could only be diſagreeable to *fraudulent dealers*.

The honeſt and fair tradeſmen entering into competition with men who carry on buſineſs by fraudulent devices is not upon an equal footing.—Such fair traders who have nothing to dread would therefore rejoice at the ſyſtem of inſpection which is propoſed, and would ſubmit to it chearfully, as having an immediate tendency to ſhield them from fraudulent competition, and to protect the public againſt knavery and diſhoneſty.

CHAP. IX.

The ſtate of the Police with regard to the detection of different claſſes of offenders explained.—The neceſſity under the preſent circumſtances of having recourſe to the known Receivers of ſtolen Goods, for the purpoſe of diſcovering offenders, as well as the property ſtolen.—The great utility of officers of juſtice as ſafeguards of the community.—The advantages to be derived from rendering them reſpectable in the opinion of the public.—Their powers by the common and ſtatute law are extenſive.—The great antiquity of the office of conſtable, exemplified by different ancient ſtatutes.—The authority of officers and others explained, in apprehending perſons accuſed of felony.—Rewards granted in certain caſes as encouragements to officers to be vigilant:—The ſtatutes quoted, applicable to ſuch rewards, ſhewing that they apply to eleven different offences.—The ſyſtem of rewards, as now eſtabliſhed, ſhewn to be radically wrong, exemplified in the detail of 1088 *priſoners, charged at the Old Bailey, in one year, with* 36 *different offences, whereof only* 9 *entitled the apprehenders to any gratuity:—Improvements ſuggeſted for the greater encouragement of officers of juſtice.—*1000 *peace officers*

officers in the metropolis and its vicinity, of whom only 50 *are ſtipendiary conſtables.—Little aſſiſtance to be expected from parochial officers, while there exiſts no fund for rewarding extraordinary ſervices.---Great advantages likely to reſult from rewarding all officers for uſeful ſervices actually performed.---The utility of extending the ſame gratuities to watchmen and patroles.---Defects and abuſes in the ſyſtem of the watch explained.—The number of watchmen and patroles in the metropolis eſtimated at* 2044 *:---A general ſyſtem of ſuperintendance ſuggeſted.---A view of the Magiſtracy of the metropolis.—The efficient duty ſhewn to reſt with the city and police Magiſtrates.—The inconvenience of the preſent ſyſtem.—Remedies propoſed.*

WHILE the preſſure ariſing from the multiplied public wrongs which have been detailed in the eight preceding chapters, renders a correct and energetic ſyſtem of police with regard to the *detection*, *diſcovery*, and *apprehenſion* of offenders, indiſpenſibly neceſſary for the ſafety and well-being of ſociety; it follows of courſe, in the order of this Work, to explain *how this branch of public ſervice*

is

is conducted at present—the defects which are apparent, and the means of improving the system.

When robberies or burglaries are committed at present in or near the metropolis, where the property is of conſiderable value, the uſual method is to apply to the City Magiſtrates if in London, or otherwiſe to the Juſtices at one of the Public Offices,* and to publiſh an advertiſement offering a reward on the recovery of the articles ſtolen, and the conviction of the offenders. †

And

* It is ſuppoſed upon good grounds that many perſons who ſuffer by means of ſmall robberies, afraid of the trouble and expence of diſcovery and proſecution, ſubmit to the loſs without enquiry, while others, from being ſtrangers to the laws, and to the proper mode of application, fall into the ſame miſtake, which, by proving a great encouragement to thieves of every claſs, is of courſe an injury to the public.—In all caſes where robberies are committed, the parties ſuſtaining the loſs have only to enquire for the neareſt Public Office, and apply there, and ſtate the caſe to the ſitting Magiſtrates, who will point out the proper mode of detection, and where every aſſiſtance, through the medium of conſtables, will be given for the purpoſe of recovering the property and apprehending the offenders.—The ſame aſſiſtance will be afforded by the Lord Mayor and Aldermen ſitting at the Manſion-houſe and Guildhall, whenever the offence is committed within the limits of the city of London.

† It had been uſual for many years previous to 1752, when robberies were committed, to make a compoſition of the felony, by

And in many caſes of importance, recourſe is had to noted and known Receivers of ſtolen Goods for their aſſiſtance in diſcovering ſuch offenders, and of pointing out the means by which the property may be recovered, which has on many occaſions been productive of ſucceſs to the parties who have been robbed, as well as to the ends of public juſtice, for however lamentable it is to think that Magiſtrates are compelled to have recourſe to ſuch expedients, yet while the preſent ſyſtem continues, and while robberies and burglaries are ſo frequent without the means of prevention, there is no alternative on many occaſions *but to employ a thief to catch a thief.*

It is indeed ſo far fortunate that when the influence of Magiſtrates is judiciouſly and zealouſly employed in this way, it is productive in many in-

by advertiſing a reward to any perſon who would bring the property ſtolen, to be paid without aſking queſtions; but the pernicious conſequences of recovering goods in this way, from the encouragement ſuch advertiſements held out to thieves and robbers of every deſcription, became ſo glaring and obvious, that an act paſſed the 25th year of George II. cap. 36. *inflicting a penalty of* 50*l. on any perſon* (including the printer and publiſher) *who ſhall publicly advertiſe a reward for the return of ſtolen goods, with no queſtions aſked, without ſeizing the perſon producing the goods ſtolen:—or who ſhall offer to return any pawnbroker, or other perſon, the money lent thereon, or any other reward for the return of the articles ſtolen.*

ſtances

ſtances of conſiderable ſucceſs, not only in the recovery of property ſtolen, but alſo inthe detections and puniſhment of atrocious offenders.

Wherever activity and zeal is manifeſted on the part of the Magiſtrates, the peace-officers, under their immediate direction, ſeldom fail to exhibit a ſimilar deſire to promote the ends of public juſtice. —And when it is conſidered that theſe officers, while they conduct themſelves with purity, are truly *the ſafeguards of the community* deſtined to protect the public againſt the outrages and lawleſs depredations of a ſet of miſcreants, who are the declared enemies of the State, by making war upon all ranks of the body politic who have property to loſe ;—they have a fair claim, while they act properly, to be conſidered as "*the civil defenders of the lives andproperties of the people.*"

If it is an honourable profeſſion to repel by force the foreign enemies of the State, why ſhould it not be equally ſo to reſiſt and to conquer theſe domeſtic invaders of property, and deſtroyers of lives, who are conſtantly in a ſtate of criminal warfare ?

Every thing that can heighten in any degree the reſpectability of the office of conſtable, adds to the ſecurity

ſecurity of the ſtate and the ſafety of every individual of property forming the body politic.

Under ſuch circumſtances, it cannot be ſufficiently regretted that theſe uſeful agents deſtined for the protection of the public, have been (with a very few exceptions) ſo little regarded, and ſo ill ſupported and rewarded for the imminent riſques which they run, and the ſervices they perform, in the execution of their duty as officers of criminal juſtice.

The common law as well as the ancient ſtatutes of the kingdom having placed extenſive powers in the hands of conſtables and peace-officers;—They are, in this point of view, to be conſidered as *reſpectable*;—and it is the intereſt of the community that they ſhould ſupport that rank and character in ſociety, which correſponds with the authority with which they are inveſted.—In this caſe, men of credit and diſcretion would always be glad to fill ſuch ſituations, and theſe pernicious prejudices, which have prevailed in vulgar life, and in ſome degree among the higher ranks in Society, with regard to *thief-takers*, would no longer operate, ſince it is plain to demonſtration, "*that the beſt laws that ever were made can avail nothing, if the public mind is impreſſed*

with an idea that it is a matter of infamy to become the caſual or profeſſional agent to carry them into execution."

This abſurd prejudice againſt the office of a conſtable, joined to the miſerable encouragement which the major part receive, is one of the chief reaſons why unworthy characters have filled ſuch ſituations, and why the public intereſt has ſuffered by the increaſe of crimes through this particular medium.

The office of conſtable is as old as the monarchy of England,—and certainly exiſted in the time of the Saxons.*—The law requires that he ſhould be *idoneus homo.*—Or in other words, to *have honeſty to execute the office without malice, affection, or partiality; knowledge to underſtand what he ought to do; and ability as well in ſubſtance or eſtate, as in body,* to enable him to conduct himſelf with utility to the public.

The ſtatute of Wincheſter, made in the 13th year of Edward the Firſt (anno 1285) appoints two conſtables to be choſen in every Hundred; and ſuch ſeems to have been the attention of the legiſlature to the Police of the country at that early period of our hiſtory, "*that ſuſpicious night-walkers are ordered to be arreſted and detained by the watch.*†

* Fineux. † Winton, chap. 4.

The

The ſtatute of 5 Edward III. (anno 1332) empowers conſtables "*to arreſt perſons ſuſpected of manſlaughter, felonies, and robberies, and to deliver them to the Sheriff, to be kept in priſon till the coming of the Juſtices:* and another act of the 34th of the ſame reign, made anno 1361, empowers Juſtices, *inter alia*, "*to enquire after wanderers, to arreſt and impriſon ſuſpicious perſons, and to oblige perſons of evil fame to give ſecurity for good behaviour, ſo that the people may not be troubled by rioters, nor the peace blemiſhed, nor merchants and others travelling on the highways be diſturbed or put in peril by ſuch offenders.*"

By the common law, every perſon committing a felony may be arreſted by any perſon whatſoever preſent at the fact, who may ſecure the priſoner in gaol, or carry him before a Magiſtrate.* —and if a priſoner, thus circumſtanced, reſiſts and refuſes to yield, thoſe who arreſt will be juſtified by beating him, † or, in a caſe of abſolute neceſſity, even killing him. ‡

In arreſting perſons on ſuſpicion of a felony actually committed, *common fame* has been adjudged to be a reaſonable cauſe. §

* Hale. † Pult. 10, a. ‡ Hale. § Dalton.

There are four methods, known in law, by which officers of juſtice, as well as private individuals, may arreſt perſons charged with felony.—1. *By a warrant of a Magiſtrate.*—2. *By an officer without a warrant.*—3. *By a private perſon without a warrant.*—And 4. *By hue and cry.* *

When a warrant is received by an officer, he is bound to execute it, ſo far as the juriſdiction of the Magiſtrate and himſelf extends.—But the conſtable having great original and inherent authority, may *without warrant* apprehending any perſon for a breach of the peace: and in caſe of felony *actually committed*, he may, on probable ſuſpicion, arreſt the felon: and for that purpoſe (as upon the warrant of a Magiſtrate) he is authorized to break open doors, and even to kill the felon if he cannot otherwiſe be taken. †

All perſons preſent when a felony is committed, are bound to arreſt the felon, on pain of fine and impriſonment if he eſcapes through negligence of the by-ſtanders, who will (the ſame as a conſtable) in ſuch caſe be juſtified in breaking open doors to follow ſuch felon, and even to kill him if he cannot be taken otherwiſe. ‡

The other ſpecies of arreſt is called *hue and cry*,

* Blackſtone. † Blackſtone. ‡ Blackſtone.

which

which is an *alarm raiſed in the country* upon any felony being committed. This was an ancient practice in uſe ſo far back as the reign of Edward the Firſt, (1285) by which, in the then infant ſtate of ſociety, it became eaſy to diſcover criminal perſons flying from juſtice.

However doubtful the utility of this ancient method of detecting offenders may be in a great metropolis in the preſent extended ſtate of ſociety, it is plain, that it has been conſidered as an important regulation of Police ſo late as the 8th George II. (1735) ſince it is enacted in that year, that the conſtable who neglects making hue and cry, forfeits five pounds, and even the diſtrict is liable to be fined (according to the law of Alfred) if the felony be committed therein and the felon eſcapes. * This however applies more particularly to the country, where the practice cannot fail to be uſeful in a certain degree.

When a hue and cry is raiſed, every perſon, by command of the conſtable, muſt purſue the felon, on pain of fine and impriſonment.

In this purſuit alſo, conſtables may ſearch ſuſpected houſes, if the doors be open: but *unleſs the*

* Blackſtone.

felon

felon is actually in the houſe, it will not be juſtifiable to uſe force; nor even then, unleſs admittance has been demanded and refuſed.

Under all circumſtances, a conſtable, even without any warrant, may break open a door for the purpoſe of apprehending a felon, but to juſtify this meaſure, he muſt not only ſhew that the felon was in the houſe, but alſo, that acceſs was denied after giving notice he was a conſtable, and demanding admittance in that capacity. *

In the execution of the warrant of a Magiſtrate, the officer is certainly authorized to break open the doors of the felon, or of the houſe of any perſon where he is concealed.—The firſt is lawful under all circumſtances, but forcibly entering the houſe of a ſtranger may be conſidered as a treſpaſs, if the felon ſhould not be there. †

Such are the powers with which conſtables are inveſted,—and which are, in many inſtances, enforced by penalties, that public juſtice may not be defeated.

In addition to this, the wiſdom of the legiſlature, as an encouragementto officers and others to do

* Hale. † Hale.

their

their duty in apprehending and profecuting offenders, has granted rewards in certain cafes, hereafter detailed, *namely*.

		£
4 Will. & Mary, c. 8, and 6 Geo. I. c. 23.	1. For every robber on the highway, including the ftreets of the metropolis, and all other towns, a reward of 40l. befides the *horfe*, *furniture*, *arms*, and *money*, of the faid robber, if not ftolen property -	40
6 & 7 Will. & Mary, c. 16. and 15 and 16 Geo. II.	2. For every perfon who fhall have counterfeited, clipped, wafhed,* filed, or diminifhed the current coin, or who fhall gild filver to make it pafs as gold, or copper as filver:—or who fhall utter falfe money, (being the third offence) or after being once convicted of being a common utterer, &c. a reward of - -	40
	3. For counterfeiting copper money, a reward in money, of -	10
10 and 11 Will. III. c. 23.	4. For privately ftealing to the value of 5s. from any *fhop*, *warehoufe*, or *ftable*, a Tyburn ticket, average value, about † - -	20
5 Anne, c. 31.	5. For a burglary, a reward of 40l. in money, and a Tyburn ticket, 20l. - -	60
	6. For houfe-breaking in the day time, 40l. in money, and a Tyburn ticket, 20l. - -	60
	7. For horfe ftealing, a Tyburn ticket, - - -	20

* In conſequence of ſome doubts which have been ſtarted relative to waſhed money, the reward in this caſe is not paid, it is confined entirely to the conviction of actual coiners.

† This is a Certificate which may be aſſigned *once*, exempting the perſon who received it, or his immediate aſſignee, from all offices within the pariſh or ward where the felony was committed.—In ſome pariſhes it will ſell for 25l. to 30l.—in others it is not worth above 15l. to 18l. according to local ſituation.

		£
6 Geo. I. c. 23.	8. For the offence of compounding a felony by taking money to help a perſon to ſtolen goods, without proſecuting and giving evidence againſt the felon - -	40
14 Geo. II. c. 6.	9. For ſheep ſtealing, a reward of	10
15 Geo. II. c. 23.	10. For ſtealing cattle, calves, or lambs - - - -	10
16 Geo. II.	11. For apprehending perſons returning from tranſportation. -	20

Theſe rewards apply to eleven different offences, and ought, no doubt, to be a conſiderable ſpur to officers to do their duty; but it would ſeem that there is ſome radical error in the ſyſtem, ſince however atrocious moſt of theſe offences are which have been ſelected at different periods by the legiſlature as objects of reward, it is extremely doubtful whether it has not, in ſome degree, tended to the increaſe of a multitude of ſmaller crimes which are pregnant with the greateſt miſchiefs to ſociety.

If ſmall rewards were given upon offences denominated grand larceny, (which have become extremely numerous) as well as upon ſeveral other felonies, frauds, and miſdemeanors, which occaſion a conſiderable preſſure upon the public, a ſpecies of activity would enter into the ſyſtem of detection, which has not heretofore been experienced.——

While

While rewards are limited to higher offences, and *convictions are the indiſpenſible conditions upon which they are granted*, it is much to be feared that leſſer crimes are overlooked, and the public ſubjected, in many inſtances, to the intermediate depredations of a rogue, from his firſt ſtarting upon the town until he ſhall be worth 40l.

This ſyſtem of giving high rewards (only on conviction), alſo tends to weaken evidence, ſince it is obvious that the Counſel for all priſoners, whoſe offences entitle the proſecutor and officers to a reward, generally endeavour to impreſs upon the minds of the jury an idea that witneſſes who have a pecuniary intereſt in the conviction of any offender ſtanding upon trial, are not, on all occaſions, deſerving of full credit, unleſs ſtrongly corroborated by other evidence; and thus it is that many notorious offenders often eſcape juſtice.

By altering the ſyſtem entirely, and leaving it in the breaſt of the judge who tries the offence, to determine in his own mind what reward ſhall be allowed, with a power to *grant* or *withhold*, or to *limit* and *increaſe the ſame*, according to circumſtances connected with the trouble and riſk of the parties, *whether there is a conviction or not*, a fairer meaſure would be dealt out:—the public money

would be more beneficially diſtributed, ſo as to excite general activity in checking every ſpecies of criminality; and the impreſſion conveyed often to juries reſpecting officers giving evidence, who are intereſted in the rewards, would, by this arrangement, be completely done away.

For the purpoſe of elucidating theſe ſuggeſtions, it may be uſeful to examine the different offences which conſtitute the aggregate of the criminal charges made againſt perſons arraigned at the Old Bailey, in the courſe of a year.

With this view the following ſtatement is offered to the conſideration of the reader.—It refers to a period of profound peace (as moſt likely to exhibit a true average) and contains a regiſter of the trials, publiſhed by authority, including eight ſeſſions from September 1790 to September 1791, where there appears to be 1088 priſoners charged with different offences, and 711 diſcharged upon ſociety!—The number of priſoners and the offences are as follow, *viz.*

6 for treaſons in making falſe money
A reward in money on conviction, amounting for each, to - - - - £ 40
81 High-way Robberies
A reward (beſides the highwayman's property) idem 40

87 Carried over — 87 Brought over

87 Brought over

41 Burglaries
A reward 40l. beſides a Tyburn ticket worth 20l. 60

10 Houſe breaking in the day time
A reward 40l. beſides a Tyburn ticket worth 20l. 60

23 Stealing goods to the value of 5l. from a ſhop, &c.
A Tyburn ticket, value as above, average - 20

3 Coining Copper Money
A reward in money - - - 10

17 Horſe ſtealing
A reward in a Tyburn ticket, average value 20

10 Stealing Cattle and Sheep
A reward in money - - - 10

2 Returning from Tranſportation
A reward in money - - - 20

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193 Priſoners tried for offences entitling the apprehenders to rewards on conviction, and 895 alſo tried, for which no rewards or gratuities are allowed to officers for their trouble and riſque in apprehending, *viz.*

		897	Priſoners brought forward
10	for Murders	9	Dealing in and uttering baſe Money
4	Arſon	1	Sodomy
10	Forgeries	7	Bigamy
2	Piracies	6	Perjuries
4	Rapes	6	Conſpiracies
642 *	Grand Larcenies	3	Fraudulent Bankrupts
32	Stealing privately from perſons		
897	Carried forward	929	

* Grand Larceny is defined to be a felonious and fraudulent taking away by any perſon of the mere perſonal goods of another, above the value of *twelve pence*. 1 HAW. 89.

929	Brought over	1016	Brought forward
13	Shop-lifting under 5s.	15	Frauds
16	Ripping and ſtealing Lead	9	Miſdemeanors
12	Stealing Pewter Pots	1	Aſſaulting and cutting Clothes
22	Stealing from furniſhed Lodgings	1	Smuggling
1	Stealing Letters	7	Obſtructing Revenue Officers
1	Stealing a Child	1	Wounding a Horſe maliciouſly
22	Receiving ſtolen Goods	38	Aſſaults
1016	Carried forward	1088	Total.
		445	Priſoners from the late Sheriffs.
	Aggregate number	1533	

Diſpoſed of as follows, *viz.*

Executed - - -	32
Died - - - -	25
Sent to the Hulks - -	2
Tranſported - - -	517
Removed to other Priſons -	95
Transferred to the new Sheriffs -	151
Diſcharged upon the town -	711
	1533

Thus it appears that many very atrocious crimes are committed, where officers of juſtice are entitled to no reward for their trouble in apprehending the offenders.

Receivers

Receivers of ſtolen Goods in particular who are *the nouriſhers and ſupporters of thieves*, and who, of all other offenders, are of that claſs, where the greateſt benefit to the public is to ariſe from diſcovery and apprehenſion, ſeem to be totally overlooked.

If it ſhall be thought too looſe a ſyſtem to allow rewards *not exceeding a certain ſum in any one caſe* to be diſtributed by the judges who try the offence, perhaps it might be poſſible *to form a ſcale of premiums* from *one guinea* up to *fifty pounds*, which, by holding out certain encouragements *in all caſes whatſoever*, might not only excite a deſire on the part of men of ſome poperty and reſpectability to become officers of juſtice, but would create that ſpecies of *conſtant vigilance and attention* to the means of apprehending every claſs of offenders, which cannot be expected at preſent while the rewards are ſo limited.

The *officers of juſtice*, (parochial and ſtipendiary) who are appointed to watch over the Police of the metropolis and its environs, in keeping the peace, and in detecting and apprehending offenders, amount at preſent (as near as poſſible) to 1000 individuals, under five ſeparate juriſdictions, *and are arranged as follow :*

London,

London, 1ſt.	The City of London in 25 Wards, excluſive of Bridge without.	City Marſhals	2	
		Marſhals' Men	6	
		Beadles	36	
	Parochial Conſt.	Principals	98	
		Subſtitutes	145	
			243	
		Ex. Offic.	32	
				319
Weſtminſter, 2d.	The city and liberty of Weſtminſter, 9 pariſhes and 2 precincts	High Conſtable	1	
		Parochial Conſtables	70	
				71
Middleſex, 3d.	The Diviſion of Holborn, in Middleſex, joining the metropolis, in 13 pariſhes, liberties, and manors	High Conſtable	1	
		Parochial Conſtables & Headboroughs	78	79
	The Diviſion of Finſbury, in Middleſex, joining the metropolis, 4 pariſhes, and 1 liberty	High Conſtable	1	
		Parochial Conſtables & Headboroughs	68	69
	The Diviſion called the Tower Hamlets, including the eaſtern part of the metropolis, and comprehending 10 pariſhes, 4 hamlets, 1 liberty, and 2 precincts	High Conſtable	1	
		Parochial Conſtables & Headboroughs	217	218
		Carried over		756

			Brought over	756
Tower Liberty, 4th.	The liberty of the Tower of London, being a ſeparate juriſdiction	High Conſtable	1	
		Conſtables & Headboroughs	16	17
	The Diviſion of Kenſington, Chelſea, &c. comprehending 2 pariſhes and 3 hamlets	High Conſtable	1	
		Parochial Conſtables & Headboroughs	21	22
Surrey, 5th.	The Borough of Southwark, &c. comprehending 9 pariſhes.	High Conſtable	1	
		Conſtables	87	88
		Total Parochial Officers - -		883

To which are to be added the ſtipendiary officers of police, ſpecially appointed for the purpoſe of preventing crimes, and of detecting and apprehending offenders.

1. The eſtabliſhment at Bow-Street, under the direction of the three Magiſtrates preſiding at that Office, viz. Conſtables -	8	
and (under the direction of W. ADDINGTON, Eſq.) Patroles for the roads -	67	75
2. The eſtabliſhment of ſeven Public Offices, by the Act of the 32d of his preſent Majeſty, under the direction of three Magiſtrates at each Office, viz.		
Public Office, Queen Square Conſtables	6	
Public Office, Marlborough Street Idem	6	
Carried over	12	

	Brought over	12
Public Office, Hatton Garden	Idem	6
Public Office, Worſhip Street	Idem	6
Public Office, Whitechapel	Idem	6
Public Office, Shadwell	Idem	6
Public Office, Union Hall, Southwark - - -	Idem	6
		42
Total Civil Force in the Metropolis		1000

Of theſe officers the reader will obſerve, that only *fifty* (excluſive of thirty-two extra officers in the city of London, and ſixty-ſeven patroles at Bow-Street) *are ſtipendiary officers*, particularly pledged to devote their whole time to the ſervice of the public:—and hence a queſtion ariſes, Whether ſo ſmall a number are ſufficient for the purpoſe of watching and detecting the hordes of villains who infeſt the metropolis, and who muſt be conſiderably increaſed on the return of peace?

Little aſſiſtance can be expected from parochial officers, who, depending on their daily labour principally for their ſupport, can afford to devote no more time than is abſolutely neceſſary for the uſual parochial duties, during the twelve months they are in office; and the more eſpecially ſince Magiſtrates have no power, or funds to remunerate ſuch parochial officers for extraordinary exertions in the public ſervice, however meritorious they may be;

be; and hence it is, that their zeal and activity are checked in many inſtances, when a ſmall pecuniary gratuity might render them extremely uſeful. Theſe facts, joined to the view now given of this particular branch of the ſubject, it is earneſtly to be hoped, may produce an arrangement of more *energy* and *effect* than exiſts under the preſent ſyſtem.

Officers of juſtice, who are ſubjected not only to conſiderable riſks, but alſo to want of reſt, and to the inconvenience of being expoſed much in the night time, ought certainly to be liberally paid, ſo as to make it an object to *good* and *able men* to look forward to ſuch ſituations: but this emolument ſhould, by no means, depend upon a ſettled ſtipendiary allowance; but ſhould principally ariſe from *premiums* and *gratuities*, granted by the Judges and Magiſtrates, for meritorious ſervices to the public, *actually performed*; for which there is that abundance of reſource, that no fit man, acting as a conſtable, under ſuch a ſyſtem, and doing his duty conſcientiouſly, need be under any apprehenſion of obtaining a very comfortable livelihood.

The invariable rule of rewarding, in every caſe where it can be made appear that any uſeful public ſervice has been performed, would have a moſt

wonderful effect in preventing crimes; while, if judiciouſly and œconomically managed, the expence need not exceed, in any material degree, *the preſent aggregate* of what is diſburſed in different ways, in all the branches of the Police and criminal eſtabliſhment; while ſuch expence might (by an improved ſyſtem) be defrayed, as well as every other charge, *(by the Police itſelf)* from the produce of the licences propoſed to be granted for regulating theſe particular claſſes of fraudulent dealers, by whoſe aid and aſſiſtance, in ſupporting thieves and pilferers, the propoſed ſyſtem is rendered neceſſary.

Nor ſhould the rewards be wholly confined to officers of Juſtice, either *parochial* or *ſtipendiary*.—The public good requires that they ſhould extend alſo to watchmen and patroles, who ſhould have every reaſonable encouragement held out to them to be honeſt and vigilant, by ſmall premiums paid down immediately, for every ſervice they may render the public, either in detecting or apprehending perſons who are guilty of felonies, or other offences againſt the public peace.

At preſent, the watchmen deſtined to guard the lives and properties of the inhabitants, reſiding in near *eight thouſand ſtreets*, lanes, courts, and alleys, and

and about 152,000 houſes, compoſing the whole of the metropolis and its environs, are under the direction of no leſs than above ſeventy different truſts, regulated by, perhaps, double the number of local acts of parliament, (varying in many ſhades from one another) under which theſe *directors*, *guardians*, *governors*, *truſtees*, or *veſtries*, according to the title they aſſume, are authorized to act,—each attending only to their own particular *Ward*, *Pariſh*, *Hamlet*, *Liberty*, or *Precinct*,* and varying the payment according to local circumſtances, and the opulence of the particular diſtrict, from $8\frac{1}{2}d.$ up to 2*s.* each night.†

* There is, in ſome reſpect, an exception to this rule, with regard *to the City and Liberty of Weſtminſter*, and the pariſhes of *St. Clement Danes*,—*St. Mary le Strand*,—*The Savoy*,—The united pariſhes of *St. Giles*, and *St. George, Bloomſbury*,—The united pariſhes of *St. Andrew, Holborn, above the Bars*, and *St. George the Martyr*, and the Liberty of *Saffron Hill, Hatton Garden*, and *Ely Rents*;—where by the act of the 14th Geo. 3d. regulations are made applicable to the whole of theſe Pariſhes and Liberties, fixing the *minimum* of watchmen at 323, and patroles at 56 men, for the *whole*; but leaving the management ſtill to the inhabitants of each reſpective Pariſh or Liberty.

† The ſame act fixes the *minimum* of wages to watchmen at 1*s.* a night, and patroles 1 5*d.*—In the City of London, the ſalaries given to watchmen vary in each Ward, from 13l. to 18l. 19l. 20l. 21l. 7s. 23l. 8s, up to 26l. and patroles are allowed from 13l. to 35l. and 40l. a year.

The encouragement being, in many inſtances, ſo ſmall, few candidates appear for ſuch ſituations, who are really, in point of character and age, fit for the ſituation; and the managers have therefore no alternative but to accept of ſuch aged, and often ſuperannuated, men, living in their reſpective diſtricts, as may offer their ſervices; which they are frequently induced to do from motives of humanity, to aſſiſt old inhabitants who are unable to labour at any mechanical employment, or perhaps with a view to keep them out of the workhouſe.

Thus circumſtanced, and thus encouraged, what can be expected from ſuch watchmen?

Aged in general;—often feeble;—and almoſt, on every occaſion, half ſtarved, from the limited allowance they receive; and without any claim upon the public, or the leaſt hope of reward held out, even if they performed any meritorious ſervice, by *the detection of thieves and receivers of ſtolen goods*, or idle and diſorderly perſons: and above all, making ſo many ſeparate parts of an immenſe ſyſtem, without any general ſuperintendance, disjointed from the nature of its organization, it is only a matter of wonder that the protection afforded is what *it really is*.*—Seeing that ſo little encouragement

* This proves how highly meritorious the conduct of the Managers and Truſtees of this branch of the Police of the metropolis,

ment is offered for the purpoſe of inſuring fidelity, under circumſtances where ſuch innumerable temptations are held out to diſhoneſty, by receivers of ſtolen goods, to the watchmen and patroles in their vicinity, as well as by thieves and houſebreakers in all ſituations where they contemplate the commiſſion of a burglary.*

Money is alſo received from diſorderly perſons in the night, to permit them to eſcape from the juſt puniſhment of the laws, while unfortunate females are laid under contribution, by theſe nocturnal guardians of the Police, for permitting them to infringe upon thoſe very laws they are deſtined to put in execution.

Excepting in the city of London, under the juriſdiction of the Lord-Mayer and Aldermen, (where

metropolis, muſt, in many inſtances, be.—There can indeed be no manner of doubt, but that great advantages ariſe from thus dividing the labour, where all the benefits of local knowledge enters into the ſyſtem.—So far as this goes, it ought not to be diſturbed,—all that is neceſſary is to conſider the metropolis as a *great Whole*, and to combine the organs of Police which at preſent exiſt, in ſuch a manner, by a general ſuperintendance, as to give equal encouragement, and to inſtil one principle of univerſal energy into all its parts.

* Vide page 101, 102, and 203.

there

there are, in the 25 wards, 765 watchmen, and 38 patroles) and the Pariſhes and Liberties combined, by the act of the 14th of His preſent Majeſty, it will not be eaſy to aſcertain the exact number employed, by the great variety of different Truſts, in every part of the metropolis; and the more eſpecially as they are in ſome inſtances *ambulatory:* but the following ſtatement is believed to be very near the truth.—

	Beadles, Watchmen, and Patroles.
25 Wards in the City of London, - -	803
11 Pariſhes, &c. in the City and Liberty of Weſtminſter, - - -	302
13 Pariſhes, &c. in the Diviſion of Holborn, -	377
5 Pariſhes, &c. in that part of the Diviſion of Finsbury which joins the metropolis, -	135
17 Pariſhes, &c. in the Diviſion of the Tower Hamlets, - - -	268
1 Liberty of the Tower of London, -	14
5 Pariſhes and Hamlets being part of the Diviſion of Kenſington, near the metropolis, -	66
9 Pariſhes in the Borough of Southwark, -	79
Total Watchmen and Patroles	2044*

Nothing

* Watch-houſes (excepting within the limits of the City) are placed at convenient diſtances all over the metropolis, where a parochial conſtable attends, in rotation, every night, to receive diſorderly and criminal perſons, and to carry them before a Magiſtrate next morning.—In each watch-houſe alſo (in caſe of

Nothing can certainly be better calculated for *complete protection* than *the ſyſtem of a well-regulated ſtationary watch*; and, from the number of perſons employed, independent of private watchmen, it would ſeem only to be neceſſary to lay down appoſite legiſlative rules, with reſpect to *age or ability*, *character*, *wages*, *rewards for uſeful ſervices*, and *general ſuperintendance*, and perhaps to add a few horſe patroles, in order to eſtabliſh that ſpecies of additional ſecurity, which would operate as a more effectual means of preventing crimes.

Let the ſame ſyſtem of moderate rewards alſo be extended to beadles,* for uſeful public ſervice *actually performed*, as is propoſed with regard to officers of juſtice, watchmen, and patroles, and much good will ariſe to the community, without any great additional expence.

It is in vain to expect that the public can be well ſerved, unleſs the emolument becomes an ob-

of fire) the names of the turn-cocks, and the places where engines are kept, are to be found.—This circumſtance is mentioned for the information of ſtrangers unacquainted with the Police of the metropolis; to whom it is recommended, in caſe of fire, or any accident or diſturbance requiring the aſſiſtance of the civil power, to apply immediately to the officer of the night, at the neareſt watch-houſe, or to the watchman on the beat.

* Beadles are, in many inſtances, employed at preſent as local ſuperintendants of the watch, within their reſpective pariſhes.

ject

ject to good and able men; but theſe extraordinary rewards (as has been already obſerved) ſhould always depend upon the vigilance and exertion of the parties themſelves, in detecting offender of every deſcription, for which, if it appears to the Magiſtrate that no *impropriety* or *indiſcretion* has marked their conduct, they ſhould be liberally paid.—But if, on the contrary, they ſhould appear to have acted oppreſſively or improperly, a power of immediate diſmiſſion and puniſhment ſhould, in all inſtances, attach to Juſtices of the peace, to be exerciſed according to the nature of the offence.

Having thus ſtated the civil force of the metropolis, with regard to peace-officers, watchmen and patroles, making an aggregate of 3044 men,—it may now be neceſſary to convey that information relative to the Magiſtracy, which ſhall tend to illuſtrate what remains to be ſuggeſted on the ſubject of improving the Police, in that particular branch which relates to the preſervation of the public peace, and the *detection* and *apprehenſion* of every claſs of offenders.

There exiſts, at preſent, no leſs than *five* ſeparate juriſdictions within the limits of the metropolis,—namely,—

1. The

Magiſtrates.

1. The City of London, where there are, including the Lord-Mayor, 26 Aldermen, who have an excluſive juriſdiction, within the ancient limits, - 26

2. The City and Liberty of Weſtminſter,—where there are upwards of 100 Juſtices of the peace, who have juriſdiction only in that particular Diſtrict, but where the Magiſtrates of the county of Middleſex have an equal juriſdiction.—The number reſident, who are not Magiſtrates of Middleſex, are ſuppoſed to be about - - - - 50

3. That part of the metropolis which is ſituated in the county of Middleſex, (where there are above 700 Juſtices, including the Princes of the Royal Family,—many of the Nobility,—Great Officers of State,—Members of Parliament,—and other Gentlemen of reſpectability:)—of thoſe in the commiſſion about 180 have qualified; and of theſe who have taken out their *Dedimus Poteſtatem*, only about 130 reſide in or near the metropolis.— - 130

4. That Diſtrict of the metropolis lying near, or particularly belonging anciently to the Tower of London, comprehending about 750 houſes,—where the Magiſtrates (52 in number) have an excluſive juriſdiction, and hold ſeparate ſeſſions of the peace.—The number who are not Magiſtrates of Middleſex, is - - - - - 31

Carried over 237

Brought over, 237

5. The Borough of Southwark, and that part of the metropolis adjoining thereto, within the Bills of Mortality,—where the City Magiſtrates have juriſdiction, beſides the whole of the Magiſtrates of the county of Surry,—namely,—122,—but of whom not more than 18 reſide in Southwark, and 15 in London, &c. - - in all 33

Total, 270

But notwithſtanding the great number of reſpectable names which are in the different commiſſions in and near the metropolis, and although all who have qualified have equal juriſdiction with the Police Juſtices, within their reſpective diſtricts, yet the efficient duty, for the whole of the metropolis, ſo far as it relates to the detection of offenders, is principally limited to two claſſes of magiſtrates,—namely,

1. The 26 Aldermen of London, whoſe juriſdiction is confined to the ancient limits of the City, comprehending 25 Wards, in which are 21649 houſes on the London ſide, and Bridge Ward without, in the Borough. - - - 26

2. The 24 ſtipendiary Magiſtrates, three of whom preſide at each of the ſeven public offices, eſtabliſhed

by

	Brought over	26
by the Act of the 32d of His preſent Majeſty, viz.		
1. Public Office, Queen Square, Weſtminſter,	3	
2. Public Office, Marlborough Street -	3	
3. Public Office, Hatton Garden -	3	
4. Public Office, Worſhip Street, Shoreditch	3	
5. Public Office, Whitechapel -	3	
6. Public Office, Shadwell -	3	
Public Office, Union Hall, Southwark -	3	
	21	
And alſo (not included in the act) at the Public Office, Bow Street, - -	3	
		24
Total efficient Magiſtrates who ſit in rotation, daily, in the metropolis, -		50

The juriſdiction of the ſtipendiary Magiſtrates not only extends to Weſtminſter and Middleſex; (and, in moſt inſtances, lately, to the liberty of the Tower;) but alſo to the counties of Surry, Kent, and Eſſex, from which, conſiderable advantages in the prompt detection and apprehenſion of offenders have accrued to the public; and the only difficulty that remains to be removed, with regard to the claſhing of juriſdictions, is that which regards the city of London; where, from its contiguity, and immediate and cloſe connection with every

other part of the metropolis, conſiderable inconveniences are felt, not only from the circumſtance of the juriſdiction of the City Magiſtrates not being extended all over the *whole*, as well as the four adjoining counties: but alſo from the Police Magiſtrates having no authority quickly to follow up informations, by iſſuing warrants to ſearch for property, and to apprehend perſons charged with offences in the city.—The whole difficulty reſolves itſelf into a mere matter of *punctilio*, founded perhaps on an ill-grounded jealouſy, or miſapprehenſion, which a little explanation would probably remove.

Where the object is to do good;—and where not even the ſhadow of harm can ariſe, no limits ſhould be ſet to local juriſdictions, eſpecially where privileges are propoſed to be given, (as in this caſe, to the city of London;)—and where none are to be taken away.

For the purpoſe of eſtabliſhing a complete and well-connected ſyſtem of *detection*, ſomething is neceſſary, in a greater degree, more cloſely to unite the City and Police Magiſtrates, that they may go, hand in hand, in all matters regarding the general intereſt of the metropolis, ſo as to make the ſuppreſſion of crimes one common cauſe, by permitting no punctilio, regarding juriſdiction, to prevent the operation of that united energy in the prompt

prompt detection of offenders, which, from the extended ſtate of commerce and ſociety, and the great increaſe of property, is now rendered a meaſure in which the whole inhabitants of the metroſis have a common intereſt, ſince a preſſure is felt affecting all ranks, which calls aloud for the ſpeedy adoption of ſome effectual remedy.

CHAP.

CHAP. X.

The prevailing practice explained when offenders are brought before Magistrates.—The necessary caution, as well as the duty of Magistrates, in such cases, explained.—Professed thieves seldom intimidated when put upon their trial, from the many chances they have of escaping.—These chances shortly detailed.—Reflections on the false humanity exercised, by prosecutors, towards prisoners.—Their rudeness and cruelty when engaged in acts of criminality.—The delays and expences of prosecutions, a great discouragement, inducing sufferers to put up with their loss, in silence, as the least of the two evils.—How the inconvenience may be remedied.—An account of the different Courts of Justice, appointed for the trial of offences committed in the Metropolis.—Five inferior and two superior Courts.—A state of prisoners convicted and discharged during the last year.—Reflections on this miserable catalogue of depravity.—A radical defect some where.—The great purity of the Judges of England.—The propriety of a co-operation with them, in whatever shall tend to promote the ends of public justice.—This object to be attained, in the greatest

greateſt poſſible degree, by a proſecutor for the Crown.—The advantages of ſuch au inſtitution developed, in remedying many abuſes which prevail in the trial of offenders.—2500 to 3000 perſons committed for trial, by Magiſtrates, in the metropolis, in the courſe of a Year.—The chief part afterwards vomited back upon ſociety.—Remedies ſuggeſted in the next chapter.

ARRIVING at that *point*, in the progreſs of this work, where perſons, accuſed of offences, are detected and brought before Magiſtrates for the purpoſe of examination, and ultimately to be committed for trial, if the evidence ſhall be ſufficient. —It now remains to explain the prevailing practice under ſuch circumſtances.

The taſk, in this caſe, impoſed upon the Magiſtrate, is arduous and important, requiring, in addition to great purity of conduct, and a profound knowledge of mankind, and the common affairs of life, thoſe powers of diſcrimination which ſhall enable him to diſcover how far criminality attaches to the party accuſed, and whether there are grounds ſufficient to abridge, for a time, or ultimately to deprive

deprive the priſoner of his liberty, until a Jury of his country ſhall decide upon his fate.

It frequently happens that perſons accuſed of crimes are apprehended, *when*, from a variety of concurring circumſtances, no doubt can reſt on the mind of the Magiſtrate as to the guilt of the priſoner; but where the legal evidence is deficient to authorize an immediate commitment for trial.

Under ſuch circumſtances (while he commits *pro tempore)* he is called upon in a particular manner to exert the whole powers of his mind by adopting ſuch judicious meaſures as ſhall be the means of detecting the offender, by diſcovering the goods or property ſtolen, or by admitting ſuch evidence for the Crown as may, with other corroborating teſtimony, prevent the ends of juſtice from being defeated.

Where a Magiſtrate proceeds with indefatigable zeal and attention, and at the ſame time exerciſes good judgment, he will ſeldom fail of ultimate ſucceſs, for in this caſe the ſame ſpirit will animate the officers under his controul, whoſe activity and induſtry are generally in proportion to that which is manifeſted by their ſuperiors.

And

And however much every active Magiſtrate has to regret the deficiency of the exiſting ſyſtem, by tying up his hands wherever pecuniary ſtrength is neceſſary to remunerate thoſe who muſt occaſionally be employed to detect notorious offenders, this circumſtance ought not to abate his zeal in any reſpect, ſince by perſeverance it generally happens at length that every good and proper arrangement, where it tends to the immediate advantage of the public, is ultimately obtained.

The Magiſtrate having done his duty by committing an offender for trial, and having alſo bound over the proſecutor and the witneſſes as the law directs, to attend the grand jury, and (if a bill be found) ultimately to proſecute and give evidence upon the indictment, it would appear to the common obſerver, that while he is thoroughly ſatisfied of the guilt of the priſoner, and the ſufficiency of evidence to convict him, that his caſe becomes hopeleſs and forlorn.

This, however, is by no means a ſtage in the progreſs that intimidates a profeſſed thief, who feels and knows that although guilty of the crime laid to his charge, he has many chances of eſcaping, which unqueſtionably operate under the preſent ſyſtem as encouragements to the commiſſion of crimes.

The firſt hope of the adroit thief is that he will intimidate the proſecutor and witneſſes by the threatenings of the gang with whom he is connected—or by compounding the matter, or bribing or frightening material witneſſes, ſo as to keep back evidence, or to induce them to ſpeak doubtfully at the trial, where poſitive evidence was given before the Magiſtrate, or, if all ſhould fail, recourſe is had to perjury, by bringing the receiver or ſome other aſſociate, to ſwear an alibi.

Various other conſiderations alſo operate in ſtrengthening the hopes of common thieves regarding an acquittal, partly ariſing from the vaſt numbers who are not found guilty * at every ſeſſions of gaol delivery, and partly from the careleſſneſs and inattention of proſecutors, who being either unable or unwilling to ſuſtain the expence † of counſel

* Vide Chap. V. pages 89 and 90.

† It is true that by the acts of the 25th Geo. II. and 18th Geo. III. cap. 13, the expences of the proſecutors and witneſs are to be allowed, and alſo (if the parties ſhall appear to be in poor circumſtances) a reaſonable allowance ſhall be made for trouble and loſs of time; but this being connected with the regulations of the Juſtices, confirmed by one of the Judges of Aſſize, which vary according to local circumſtances, and it being alſo neceſſary to plead poverty, in order to be remunerated for loſs of time: but as the poor ſeldom ſuffer by thieves, it would ſeem to

counſel to oppoſe the arguments, objections, and quibbles, which will be offered in behalf of the priſoner, or being ſoured by loſs of valuable time, experienced, perhaps, in former proſecutions;—or ultimately from a dread which is attached to timid minds, who fooliſhly and weakly conſider themſelves as taking away the life of a fellow creature, merely becauſe they proſecute or give evidence, without reflecting that it is the *law* only that can puniſh offenders and *not* the individual proſecutor or witneſſes.

Falſe humanity, exerciſed in this manner, is always cruelty to the public, and not ſeldom to the priſoners themſelves.—All depredations upon property are *public wrongs*, in the ſuppreſſion of which every member of the community is called upon to lend his aſſiſtance, but particularly thoſe who are the immediate ſufferers, as it is through ſuch mediums only that public juſtice can operate in pu-

to have had little effect in encouraging proſecutors to come forward;—and it is believed, few applications are made excepting in caſes of real poverty.—The fund, however, which the legiſlature has thus provided, if œconomically applied by a public proſecutor, would remove many difficulties without any material addition to the county rates.—In the County of Middleſex there is an exception, where witneſſes are paid by the Overſeers of the Poor, where the perſon was apprehended.

niſhing thoſe miſcreants by whom the innocent are *put in fear, alarmed and threatened with horrid imprecations—with loſs of life by means of loaded piſtols*; or bodily injury, from being hacked with cutlaſſes, or beaten with bludgeons—under circumſtances where neither age or ſex is ſpared——

Is it not the duty of every good man to lend his aid in reſtraining and puniſhing ſuch offenſive and criminal members of the body politic?——

Yet experience has ſhewn that theſe arguments, powerful as they are, will neither awaken in the mind of men that ſpecies of public ſpirit which ſhall induce the ſufferers in general by robberies of different kinds, to become willing proſecutors under all the trying delays, added to the expence often of bringing a number of witneſſes from the country, and keeping them hanging on in a court of juſtice, perhaps, for ſeveral days together.

Such a burden impoſed upon the ſubject, in addition to the loſſes already ſuſtained, in a caſe too where the offence is of a public nature, is certainly not eaſily reconciled with that ſpirit of juſtice and attention to the rights of individuals which form ſo ſtrong a feature in the juriſprudence of the country.

It is to theſe ſources—namely, the unwillingneſs of proſecutors to come forward, terrified by the trouble

trouble and expence, (as has been already obſerved) that many felonies are concealed, and the loſs ſuffered in ſilence as the leaſt of two evils, by which means thieves are allowed to reign with impunity, undiſturbed, and are encouraged to perſevere in their evil practices from the calculations they make with regard to the many chances they have of eſcaping.

Nothing, it is to be feared, can cure this evil, and eſtabliſh that general ſyſtem of protection to all who are plundered in this way, but a vigorous ſyſtem of police ſtrengthened and improved by the appointment of deputy proſecutors for the Crown, acting under the Attorney-General for the time being.—An eſtabliſhment of this ſort, even at a very ſmall ſalary, would be conſidered as an honourable *entré* to many young counſel, who, in protecting the public againſt the frauds, tricks, and devices of old and profeſſed thieves, by which at preſent they eſcape juſtice, would alſo (by keeping the ſtream pure) allow no advantage to be taken of the priſoner.

While it muſt be admitted on all hands, that it is the intereſt of the public that no guilty offender ſhould eſcape puniſhment;—it would ſeem an equally clear and incontrovertible poſition, that wherever, from any defect in the ſyſtem of

proſecutions;

proſecutions; or from whatever cauſe it proceeds —a priſoner eſcapes that puniſhment which is due to his crimes, that ſubſtantial juſtice is wounded and public wrongs are increaſed through this medium.

It has been already ſtated in the preceding Chapter, that there are five ſeparate juriſdictions in the metropolis, where Magiſtrates exerciſe limited authority.—Of courſe, there are five inferior Courts of Juſtice, where leſſer offences, committed in London and its vicinity, are tried by Juſtices of the Peace.

1. The General and Quarter Seſſions of the Peace held eight times a year by the Lord Mayor and Aldermen, at Guildhall—*for the trial of ſmall Offences committed in London.*

2. The Quarter Seſſions of the Peace held four times a year, at Guildhall, Weſtminſter, by the Juſtices acting for that City and Liberty—*for the trial of ſmall Offences committed in Weſtminſter only.*

3. The General and Quarter Seſſions of the Peace held eight times a year, at the New Seſſions-Houſe on Clerkenwell-Green (commonly called Hicks's-Hall) by the Juſtices only of the County of Middleſex—*for trial of ſmall Offences committed in Middleſex and Weſtminſter.*

4. The General Quarter Seſſions of the Peace held in the Seſſions-

Seſſions-Houſe in Well-Cloſe-Square, by the Juſtices for the Liberty of the Tower of London—*for the trial of ſmall Offences committed within the Royalty.*

5. The Quarter Seſſions of the Peace held at the New Seſſions-Houſe at Newington, Surry, in January.—At Reigate, in April.—At Guildford in July, and Kingſton upon-Thames in October each year, by the Juſtices for the County of Surry, and where *ſmall Offences committed in Southwark and the neighbourhood, are tried.*

Theſe five inferior Courts of Juſtice take cognizance of *Petty Larcenies, Frauds, Aſſaults, Miſdemeanors, and other Offences puniſhable by fine, impriſonment, whipping, and the pillory*:—and in certain caſes, the power of the Juſtices extends to *tranſportation.*

The higher and more atrocious offences committed in London and Middleſex, are tried at the Juſtice-Hall, at the Old-Bailey, by a ſpecial commiſſion of Oyer and Terminer, to the Lord Mayor, and a certain number of the Judges, with the Recorder and Common Serjeant of the City of London.

Offences of the ſame degree of atrocity which are perpetrated in that part of the metropolis which is ſituated in the Borough of Southwark and County of Surry, are tried at the Aſſizes, held twice a year

a year at *Kingſton-upon-Thames*, *Croydon*, or *Guildford.* *

Thus it appears, that five inferior, and two ſuperior Tribunals of Juſtice are reſorted to for trying the different offences which are committed in the metropolis.

As it may be uſeful, for the purpoſe of elucidating the ſuggeſtions which have already been offered upon this branch of the ſubject, that a connected view of the reſult of theſe *Trials* ſhould make a part of this Work;—the following Abſtract, (including the diſcharges of Priſoners by Magiſtrates) has been made up with this immediate view, from authentic documents obtained from the keepers of the eight different priſons and houſes of correction in the city of London, and in the counties of Middleſex and Surry.

It applies to the period moſt recent; namely, from September 1794, till September 1795.

* Conſiderable inconvenience ariſes (and indeed great hardſhips, where priſoners are innocent) from the length of time which muſt elapſe, where offences have been committed in Southwark, before they can be brought to trial, either for inferior or more atrocious crimes.—In the former caſe, priſoners muſt remain till the Quarter Seſſions (there being no intermediate General Seſſions of the Peace) and in the latter caſe, till the Aſſizes, held only twice a year, which occaſions a confinement previous to trial lengthened out, in ſome inſtances, to three, four, five, and even nearly to ſix months.

A Summary View of the Prisoners *committed, tried, punished, disposed of,* a
one Year, ending in October 1795

	Names of Prisons.	*Number of Prisoners, punished and disposed of.* Died	Guilty of death	Transportation	Imprisoned in Newgate	Imprisoned in Bridewell Hospital	Imprisoned in the House of Correction of Middlesex	Imprisoned in Tothil-Fields-Bridewell	Imprisoned in Surry gaols	Sent to the Philanthropic and Marine Society	Sent to serve His Majesty in the Navy and Army	Passed to Parishes	Sent to Hospitals	Total	*Number* Discharged by Magistrates for want of proof	Discharged by Proclama-
London	Newgate	7	51	153	85		54		20		39			409		1
	Poultry Compter					334				10	44	72		460	199	
	Giltspur Compter					249					75	125	44	493	287	
	Bridewell Hospital	4										835	44	883		
Middlesex	New Prison, Clerkenwell	5		3							58			66	237	1
	House of Correction in Cold Bath Fields	4										128		132	568	2
	Tothil Fields Bridewell	2		7				37				122	26	194	253	2
Surry	New Gaol, Southwark		10	11					16				1	38	130	
		22	61	174	85	583	54	37	36	10	216	1282	115	2675	1674	8
			19 executed													
			106 transported													

boſed of, and *diſcharged*, in the Metropolis, in
ber 1795.

	Number of Priſoners diſcharged from the Eight Gaols in One Year.									
	Diſcharged by Magiſtrates for want of proof	Diſcharged by Proclamation & Gaol delivery	Diſcharged by acquittals	Diſcharged, after being whipt	Diſcharged, after being fined	Diſcharged, after ſuffering impriſonment	Apprentices diſcharged	Offenders bailed out of priſon	Diſcharged by Pardons	Total diſcharged
9		134	272	12	11	20			129	578
0	199							27		226
3	287	10	10		45	11		114		477
3						249	38			287
6	237	170	35	9		9		127		587
2	568	231	60			353	111			1323
4	253	274	6	1		27		154		715
8	130	74	35	2		28				269
5	1674	893	418	24	56	697	149	422	129	4462

N. B. Although the Author has been at infinite pains to render this ſummary view as exact as poſſible, yet from the different modes adopted in keeping the accounts of the Priſons, he is not thoroughly ſatisfied in his own mind that the view he has here given is accurate to a point.—He is however convinced that it will be found ſufficiently ſo for the purpoſes intended.

It is impoſſible to contemplate this collected aggregate of the priſoners annually diſcharged upon the town, without feeling a ſtrong anxiety to remedy an evil rendered extremely prominent and alarming, from the number which compoſes this diſmal catalogue of human depravity.

Every enquiry in the progreſs of this Work proves a radical defect ſomewhere.

While the public tribunals are filled with Judges, the purity of whoſe conduct adds luſtre to their own and the national character, why ſhould not every ſubordinate part of the criminal juriſprudence of the country be ſo organized, as to co-operate in the greateſt poſſible degree with the efforts of the higher orders of the Magiſtracy in accompliſhing the purpoſes of ſubſtantial juſtice?

Nothing could, in a greater degree, promote this object, than a public Proſecutor for the Crown.

An inſtitution of this kind would terrify the hordes of miſcreants who are now at open war with the peaceable and uſeful part of the community in a greater degree than any one meaſure that could poſſibly be adopted.

It would be the means of deſtroying thoſe hopes and chances which encourage criminal people to perſevere in their depredations upon the public.

It would not only remove that averſion which proſecutors manifeſt on many occaſions, to come forward, for the purpoſe of promoting the ends of public juſtice; but it would prevent, in a great meaſure, the poſſibility of compounding felonies or of ſuborning witneſſes. *

* Notwithſtanding the ſeverity of the law, the compoſition of felonies and miſdemeanors is carried to a much greater height than it is almoſt poſſible to believe, and various devices are reſorted to, to elude the penalties.—An inſtance occurred in Auguſt 1792: where a Jew was committed to take his trial for a rape, committed on a married woman.—The offence appeared, on examination, to be extremely aggravated.—The Grand Jury however did not find a bill, which was thought a very ſingular circumſtance, where the proof had been ſo clear before the Magiſtrate.—The reaſons, however, were afterwards explained, which ſhew, what corrupt practices, artifices, and frauds will be uſed to defeat the ends of juſtice:—In conſequence of a previous underſtanding between the Jew and the huſband of the woman who had been ſo groſsly abuſed, a ſum of £20. was left in the hands of a publican, which the proſecutor was to receive if the bill was not found.—In this confidence the woman gave a different evidence from what ſhe had done before the Magiſtrate.—The Jew however cheated both the huſband and the wife, for he no ſooner diſcovered that he was ſafe, than he demanded the money of the publican, and laughed at the proſecutor.

It

It would alſo be the means of counteracting the various tricks and devices of old thieves, and occaſion an equal meaſure to be dealt out to them as to the novices in crimes, who ſeldom fail to be convicted, while the experienced thief eſcapes:

It would do more,—It would protect real innocence;—for in ſuch caſes the public proſecutor would never fail to act as the friend of the priſoner, by requeſting the jury to find a verdict of *not guilty*.

The humanity and mildneſs of our laws require that the Judge ſhould act in ſome degree as counſel for the priſoner.—Of courſe, without a proſecutor for the Crown, every trifling inaccuracy in the indictment becomes fatal to the conviction;* and theſe circumſtances, which would frequently throw great light upon the charges, are

 not

* In criminal caſes, a defective indictment is not aided by the verdict of a jury, as defective pleadings in civil caſes.—Indeed wherever life is concerned, great ſtrictneſs has been at all times obſerved.—That able and humane Judge, Sir Matthew Hale, complains above a century ago,* "That this ſtrictneſs "has grown to be a blemiſh and inconvenience in the law and

* He died 1676.

"the

not brought under the review of the jury, and thus it is that public juſtice is defeated.

Upon an average, the Magiſtrates of the metropolis generally commit annually from about 2500 to 3000 perſons, male and female, for trial, at the ſeven different Courts of Juſtice in and near the metropolis, charged with a variety of felonies, miſdemeanors, and other petty offences, and after fully convincing their own minds, that from a careful, and in many inſtances, a moſt laborious inveſtigation, the parties are guilty, they are obliged, from experience, to prepare themſelves for the mortifying circumſtance of ſeeing their labour and exertions in a great meaſure loſt to the community, from the major part being again vomited back upon ſociety, without any effectual ſteps being adopted for their reformation,

" the adminiſtration thereof, *for that more offenders eſcape by*
" *the over-eaſy ear given to exceptions in indictments, than by*
" *their own innocence: and many times groſs murders, burgla-*
" *ries, robberies, and other heinous and crying offences*—remain
" unpuniſhed by thoſe unſeemly niceties, to the reproach of
" the Law, to the ſhame of the Government, to the encou-
" ragement of villainy, and to the diſhonour of God." †

† Hale, P. C. 193.

or

or any means uſed for the prevention of a repetition of theſe crimes, for which a conſiderable proportion may have ſuffered perhaps a ſlight puniſhment, producing no effect that is not ultimately miſchievous to the community, by initiating them in a greater degree in the knowledge and means of committing new acts of fraud and villainy.

But as the remedy for this laſt evil will fall more properly to be conſidered in the ſucceeding Chapter on puniſhments, to it therefore the reader is referred.

CHAP.

CHAP. XI.

On Punishments.—The mode authorized by the ancient laws.—The period when transportation commenced.—The principal crimes enumerated which are punishable by Death.—Idem, by Transportation and Imprisonment.—The Courts appointed to try different degrees of Crimes.—Sanguinary punishments, extending to so many offences of an inferior nature, defeat the ends of justice.—The system of pardons examined:—their evil tendency.—New Regulations suggested with regard to Pardons and Executions.—An historical account of the rise and progress of Transportation.—The expedients resorted to after the American War put a stop to that mode of punishment.—The system of the Hulks then adopted.—Salutary Laws also made for the erection of Provincial and National Penitentiary Houses.—The nature and principle of these Laws briefly explained.—An account of the Convicts confined in the Hulks for nineteen years.—The expence and produce of their labour.—An improved method of employing Convicts on public works explained.—Also in the Naval Arsenals.—The system of Transportation to New South Wales examined.—The enormous expence

pence of this mode of punishment.—Improvements suggested, calculated to reduce the expence in future.—The erection of Penitentiary Houses recommended. A mode suggested of selecting Convicts for different situations, so as to make their labour in all cases productive.—Reasons offered why these various Suggestions with regard to the punishment of Offenders would operate powerfully in diminishing their number, and in preventing future Crimes.

THE punishments inflicted on criminal offenders by the common and statute law, have undergone several changes within the last two centuries.

The benefit of Clergy, which for a long period exempted clerical people from the punishment of death in cases of felony, was afterwards * extended to *peers*, *women*, and all persons *able to read*, who, pleading their Clergy, suffered only a corporal punishment, or a year's imprisonment, and those men who *could not read*, if under the degree of peerage, were hanged. †

This unaccountable and inhumane distinction was actually not removed until the 5th of Queen

* By the 3d, 4th, and 5th, Will. and Mary. † Blackstone.

Anne,

Anne, which extended the benefit of Clergy to all who were entitled to aſk it, *whether they could read or not.*

In the courſe of the preſent century, ſeveral of the old ſanguinary modes of puniſhment have been either very properly aboliſhed, or allowed, to the honour of humanity, to fall into diſuſe :—ſuch as *burning alive, cutting off hands, or ears, ſlitting noſtrils, or branding in the hand or face ;—and the ducking-ſtool.*

The puniſhment of death for felony has exiſted ſince the reign of Henry I. about the year 1108. —Tranſportation was firſt introduced anno 1718, by the act of the 4th, and afterwards of the 6th of George I. which allowed the Court a diſcretionary power to order felons who were by law entitled to their Clergy, to be tranſported to the American Plantations for ſeven years.

Since that period, the mode of puniſhment has undergone ſeveral other alterations, and many Crimes, which were formerly conſidered of an inferior rank, have been rendered capital, which, according to the prevailing practice, founded on the laws now in being, will be beſt elucidated by the following Catalogue of Offences, divided into three Claſſes.

1. Crimes

1. Crimes punishable by the Deprivation of Life, and where upon the Conviction of the Offenders, the sentence of Death must be pronounced by the Judge.

The principal of which are the following,

Murder
Treason
Coining Money
Arson
Rape
Sodomy
Piracy
Forgery
Destroying Ships, or setting them on Fire
Bankrupts not answering, or concealing their Effects
Burglary
Highway Robbery
House Breaking
Privately Stealing, or Picking Pockets above One Shilling
Shop Lifting above Five Shillings
Stealing Bonds, Bills, or Bank Notes
Stealing Bank Notes, or Bills from Letters
Stealing above 40*s.* in any House
Stealing above 40*s.* on a River
Stealing Linen, &c. from Bleaching Grounds, &c.
Maiming Cattle
Shooting at a Revenue Officer
Pulling down Houses, Churches, &c.
Breaking down a Fish Pond, whereby Fish may be lost
Cutting down Trees in an Avenue, Garden, &c.
Cutting down River or Sea Banks
Cutting Hop Binds
Setting Fire to Corn or Coal Mines
Taking Reward for helping another to Stolen Goods
Returning from Transportation
Stabbing a Person unarmed, if he die in six Months
Concealing the Death of a Bastard Child
Maliciously maiming or disfiguring any person, &c.
Sending Threatening Letters
Riots by twelve or more, and not dispersing, in one hour after proclamation
Accessaries to Felonies deemed capital

Stealing Woollen Cloth from Tenter-Grounds
Stealing from a Ship in Diſtreſs
Stealing Ore from Black Lead Mines
Servants purloining their Maſter's Goods, value 40ſ.
Stealing Horſes, Cattle, or Sheep
Bail, perſonating
Escape, breaking Priſon
Privy Counſellors, attempting to kill, &c.
Sacrilege
Smuggling by Perſons armed, &c.
Robbery of the Mail
Turnpikes or Bridges deſtroying. *

2. Crimes denominated ſingle Felonies, puniſhable by Tranſportation, Whipping, Impriſonment, the Pillory, and Hard Labour in Houſes of Correction, according to the Nature of the Offence.

The principal of which are theſe following,

Grand Larceny, which comprehends every ſpecies of Theft above the value of One Shilling, not otherwiſe diſtinguiſhed
Receiving Stolen Goods
Ripping and ſtealing Lead, &c.
Stealing from Furniſhed Lodgings
Setting Fire to Underwood
Stealing Letters
Embezzling Naval Stores
Petty Larcenies, or Thefts under One Shilling
Aſſaulting, with intent to Rob
Aliens returning, after being ordered out of the kingdom

* There are of theſe Offences (puniſhable by Death) branching out into a variety of ſhades and ſubdiviſions, above 160 in number upon the Statute Books.—It is earneſtly to be wiſhed, for the honour of humanity, that they were reduced, ſince it is evident, that the great ſeverity of the puniſhment attached to a number of inferior Offences which Juries will ever conſider as not deſerving Death, muſt prevent Convictions, and ſend back many guilty Criminals upon ſociety, who knowing this, are encouraged to go on in their miſchievous purſuits. Vide pages 10, & 11.

Stealing

Stealing Fiſh from a Pond or River
Stealing Roots, Trees, or Plants of the value of 5s.
Stealing Children with their Apparel
Bigamy
Aſſaulting and Cutting, or Burning Clothes
Coin—Counterfeiting the Copper Coin, &c.
Marriage, ſolemnizing clandeſtinely
Manſlaughter
Cutting or Stealing Timber Trees, &c. &c. &c.

3. Offences denominated Miſdemeanors, puniſhable by Fine, Impriſonment, Whipping, and the Pillory.

The principal of which are theſe following,

Perjury
Frauds
Conſpiracies
Aſſaults
Stealing Dead Bodies
Keepers of Bawdy Houſes and other Diſorderly Houſes
Offences by Perſons deſcribed in the Vagrant Act, 17 Geo. II.
Lottery illegal Inſurances, &c.
Gaming of various deſcriptions
Stealing Cabbages, Turnips, &c. growing
Cutting and ſtealing Wood and Trees
Robbing Orchards and Gardens
Deer ſtealing
Dog ſtealing
Setting fire to a Houſe to defraud the Inſurance Office
Uttering Baſe Money
Selling Baſe Money under its denominated value
Embezzlements in the Woolen, Silk, and other manufactures
Artificers and Servants in various Trades committingoffences
Combinations and Conſpiracies for raiſing the price of Wages
Smuggling Run Goods, and other Frauds, relative to the Exciſe and Cuſtoms.

☞ *There are a great many other trivial Offences denominated Miſdemeanors, ſubject to pecuniary Fines not neceſſary to be here enumerated.*

The firſt and ſecond claſſes of offences are always tried by the ſuperior courts, except petit larceny:—The third claſs comprehending every ſpecies of miſdemeanor, which, with petit larceny, are generally tried, with ſome few exceptions, by the Juſtices in their General and Quarter Seſſions, where, in certain caſes in Middleſex, they act under a commiſſion of Oyer and Terminer.—The Magiſtrates in Petty Seſſions, and in ſeveral inſtances a *ſingle Magiſtrate*, have alſo the power of convicting, in a ſummary way, for a variety of ſmall miſdemeanors, and of puniſhing the delinquents with fine and impriſonment.

It generally happens in the metropolis, that out of 2000 to 2500 priſoners who are tried for different crimes, in the various courts of Juſtice, above 5-6th parts are for larcenies and ſmaller offences, where the benefit of clergy either attaches, or does not apply at all; and where, of courſe, the major part are returned upon ſociety, after a ſhort impriſonment, or ſome corporal puniſhment, too frequently to renew their depredations on the public.—But a vaſt proportion (as has been already ſhewn) are always acquitted. *

In

* It is here that the chief difficulty lies with regard to the prevention of crimes, and it will ever remain an unconquerable difficulty

In order to form a judgment of the proportion of the more atrocious offenders tried at the Old Bailey, who are, in like manner, acquitted, with the ſpecific puniſhments applicable to the different offences, according to the ſentences of the court, pronounced upon thoſe that were convicted, a period has been ſelected, when it was natural to expect, from the immenſe, and indeed, unparalleled bounties which were given for ſeamen and ſoldiers, that the number of thieves and criminal people upon the town would be greatly reduced,—namely,—*from the month of April*, 1793, *to the month of April, in the year* 1794,—including eight ſeſſions at the Old Bailey, during which period 1060 priſoners were put upon their trial, and diſpoſed of, in the manner ſhewn in the following table,—viz.

difficulty until ſome general Houſe of Induſtry can be eſtabliſhed in the metropolis, where perſons diſcharged for petty offences as well as ſtrangers, and others out of work, may have an opportunity of finding, at leaſt, a temporary employment ſufficient to maintain them;—an inſtitution of this ſort would be a work of great charity and humanity: and it is earneſtly to be hoped that the view of the ſubject given in this Work may induce men of opulence and philanthropy to ſet on foot an eſtabliſhment calculated to promote ſuch a multitude of good and uſeful objects * and the more eſpecially as with proper management it may pay itſelf.

* Vide Chap. V. page 92.

London,

A Table ſhewing the Priſoners tried at the Old Bailey, from April 1793 *to March* 1794 *inclusive.*

London, Middleſex, and Weſtminſter.	Perſons committed for trial.	Of whom acquitted and diſcharged.	Priſoners convicted, and their Puniſhments.								
			Death.	Tranſportation for 14 years.	Tranſportation for 7 years.	Whipt and impriſoned.	Impriſoned 6 months and upwards.	Impriſoned 3 months & otherwiſe diſpoſed of	Sent to ſerve the King.	Judgment reſpited.	Total puniſhed.
LondonSeſſions	199	70	6	1	50	10	29	20	8	5	129
Middleſex & Weſtminſter.	861	497	62	1	117	38	51	49	30	16	364
	1060	567	68	2	167	48	80	69	38	21	493

Thus it appears, that in one year, out of 1060 priſoners, only 493 were puniſhed, of whom 235, after a temporary confinement, would return upon the public, with little proſpect of being better diſpoſed to be uſeful to ſociety than before.

But this is not all,—for of theſe, capitally convicted, or deſtined for tranſportation, a large proportion have been pardoned, on condition of going into the army and navy; where the Royal mercy has been accepted, but the ſtipulations, in many inſtances, evaded by pretended or real incapacity, always concealed, until diſcharged from confinement.

That the preſent ſyſtem of puniſhments and pardons has tended, in a very great degree, to the increaſe of crimes, no perſon will deny, who will take the trouble of inveſtigating the ſubject with accuracy.

The puniſhment of death attaching to ſo many crimes, which are conſidered, by the maſs of the people, as of an inferior claſs, and not deſerving ſo ſevere a doom, muſt ever operate in a manner injurious to the ends of public juſtice, by preventing convictions.

Sanguinary

Sanguinary puniſhments, when confined to a few very atrocious offences, and carried into execution immediately after conviction, may be uſeful, as a means of prevention, for then the example would be *awful* and *ſtriking*, and theſe criminal and depraved people, who have given themſelves up to acts of violence and depredation, would even be made to tremble at the juſt ſeverity of the law; which, in its operation, would not only prove an act of humanity to the public, but alſo to a majority of theſe unfortunate and depraved fellow mortals, who would, under ſuch circumſtances, where no hopes of mercy could be expected, and where immediate *execution* would follow *conviction*, think ſeriouſly before they hazarded a repetition at leaſt of the more atrocious offences ſubjecting them to *certain* and *immediate death*.

According to the preſent ſyſtem, out of about *one hundred* who are, upon an average of years, doomed to ſuffer the puniſhment of death, *four-fifths* or more are generally pardoned, either on condition of being tranſported, or of going into His Majeſty's ſervice, and not ſeldom without any condition at all.

Hence it is, that calculating on all the different chances—encouragements to commit crimes, actually

tually ariſe out of the ſyſtem intended for their prevention,—*firſt, from the hope of eſcaping detection and apprehenſion,—ſecond, of conviction, from the means uſed to vitiate and ſuborn the evidence,—third, from the mercy of the jury, in conſidering the puniſhment too ſevere,—and fourth, from the intereſt of perſons of rank or conſideration in the ſtate, applying for pardons, (under circumſtances where humanity becomes the friend of every perſon doomed to die) that the Royal mercy may be extended.*

God forbid that the author of theſe pages ſhould do ſo much violence to his own feelings, as to convey an idea hoſtile to the extenſion of that amiable prerogative veſted in The Sovereign, and which His preſent Majeſty has exerciſed with that regard to thoſe feelings of humanity, and that merciful diſpoſition characteriſtic of a mind of a great and a good King.

Theſe animadverſions are by no means pointed againſt the exerciſe of a privilege ſo benign and ſo neceſſary;—They regard only the impoſitions which have been practiſed upon ſo many well-intentioned, reſpectable, and amiable characters, who have, from motives of humanity, intereſted themſelves in obtaining *free pardons*, or *pardons on condition of going into the army or navy*, for a vaſt number who are again upon the town, re-

peating acts of depredation and violence upon the public.

If theſe humane individuals, who intereſt themſelves in applications of this ſort, were to be made acquainted with one half of the groſs impoſitions which are practiſed upon their credulity, or of the extent of the evil conſequences to ſociety which ariſe from ſuch pardons, they would ſhudder at the extent of the cruelty exerciſed towards the public, and alſo, in many inſtances to the convicts themſelves, by this falſe humanity.

In a country where, from the great excellency of the laws, and the caution and humanity which mingles in that part of the criminal juriſprudence relating to the trial of offenders,—it is ſcarce poſſible that an honeſt or an innocent perſon can be convicted of a capital offence*.—It would ſeem to be a good criterion, that the Royal mercy ſhould only be extended on two indiſpenſible conditions:

1. *That the convict under ſentence of death, ſhould, for the ſake of public juſtice, (and to deter others from the com-*

* It is not here meant to ſay there have not been ſome inſtances, and even one of a very recent date, where an innocent man may be convicted, but they are certainly very rare, and when diſcovered, the Royal mercy, of courſe, relieves the unfortunate perſon.

miſſion

miſſion of crimes) diſcover all his accomplices, and the robberies or other crimes he has committed.

2. *That he ſhould be tranſported, or kept at hard labour, for life; or until ample ſecurity ſhall be given for good behaviour.*

Were this rule adopted, the public would be ſhielded againſt the re-iterated depredations of a horde of miſcreants, who return upon ſociety almoſt as ſoon as pardons are obtained; for it is a well-known fact, that many who have been pardoned, on the expreſs condition of going into the army or navy, either never entered into His Majeſty's ſervice at all, or were diſcharged ſoon after, (as has been already hinted) owing to the diſcovery of ſome villainy which they practiſed, or from ſome pretended or real incapacity ariſing from bodily infirmity, ſuch as *lameneſs*, *ruptures*, or *convulſion fits*.

The precaution not having been uſed of knowing, *for certain*, before pardons* were granted,

* Pardons granted from Auguſt, 1792, to June, 1794.

Free pardons, - -	54
Conditionally pardoned, partly for tranſportation, and partly for the army,	696
Sentences remitted, -	72
Carried over	822 Convicts.

 whether

whether the parties were fit for His Majeſty's ſervice or not, and the convicts themſelves carefully concealing every kind of bodily infirmity,—and the pardons containing no eventual condition of ultimate tranſportation in caſe the perſons ſhould be found unfit for the army or navy;—the reſult has been, that many convicts, who are now actually thieves upon the town were almoſt inſtantly vomited back upon the public.—Some, even before they were atteſted, in conſequence of the diſcovery of bodily incapacity, and others in a very ſhort time after they had gone into the navy or army, from the like unfitneſs being recognized;—from ſome artful device practiſed to procure a diſcharge,—or from deſertion.—A profeſſed thief is never deficient in that ſpecies of artifice and reſource, which is neceſſary to rid him of any incumbrance.

	Brought over	822
Pardons from December Seſſions, 1794, to October Seſſions, 1795.		
Free pardons, - -	12	
Pardoned on condition of ſerving the King, - -	129	
Judgment reſpited on the ſame condition, - -	39	
	168	
Aggregate Total		1002 pardoned.

This

This, however, is ſeldom taken into the calculation when humanity urges philanthropic characters to intereſt themſelves in behalf of criminals; nor could it have been known or perhaps believed that ſo many of theſe outcaſts of ſociety have found means again to mingle with the maſs of the people.

Reflecting on this ſingular circumſtance, what impreſſion does it make on the intelligent mind?—will it not warrant the following concluſions?

1. That every individual reſtored to ſociety in this way is the means of conſtituting that ſpecies of encouragement which is calculated to bring others into the ſame dreadful ſituation from which theſe unhappy perſons have juſt been reſcued.

2. That for this reaſon every pardon granted, without ſome leſſer puniſhment, or removing the convicts from ſociety, is a link broken in the chain of juſtice, by annihilating that united ſtrength that binds the whole together.

3. That by removing the terror of puniſhments by frequent pardons, the deſign of the law is rendered in a great meaſure ineffectual;—the lives of perſons *executed* are thrown away and ſacrificed rather to the vengeance, than to the good of the public, where no other advantage is received than by getting rid of one thief

thief, whoſe place (where there are ſo many chances of eſcaping) will ſpeedily be ſupplied by another.*

Nothing can ſanction the puniſhment of death for crimes ſhort of murder, *but the terror of the example operating as a means of prevention.*—It is upon this principle alone that one man is ſacrificed to the preſervation of thouſands.

Executions therefore, while ſuch examples are exhibited as ſeldom as a regard to the public intereſt will admit, ought to be rendered as *terrific* and *ſolemn* to the eyes of the people as poſſible.

* That able and excellent Magiſtrate the late Henry Fielding, Eſq. (for whoſe zeal and exertions in the exerciſe of the duties of a Juſtice of the Peace, in the metropolis, the public were under infinite obligations,)—manifeſted half a century ago, how much he was impreſſed with the injuries ariſing from frequent pardons.—Thoſe who will contemplate the character and conduct of this valuable man, as well as that of his brother the late Sir John Fielding, will ſincerely lament that their excellent ideas, and accurate and extenſive knowledge upon every ſubject connected with the Police of the metropolis, and of the means of preventing crimes, were not rendered more uſeful to the public.—It is to be hoped, however, that it is not yet too late.

The

The puniſhment now in uſe, conſidered in point of law to be next to that of deprivation of life, is *Tranſportation*.

It has been already mentioned that Parliament authoriſed this ſpecies of puniſhment in the year 1718—when convicts were firſt ordered to be ſent to the American plantations.—This ſyſtem continued for 56 years, during which period, and until the commencement of the American war in 1775, great numbers of felons were ſent chiefly to the province of Maryland, where the rigid diſcipline which the colonial laws authoriſed the maſters * to exerciſe over ſervants, joined to the proſpects which agricultural purſuits, after ſome experience was acquired, held out to theſe *outcaſts*, tended to reform the chief part who mingled in the ſociety of that country after the expiration of their ſervitudes, under circumſtances highly beneficial to themſelves and even to the colony, for poſſeſſed in general (as every adroit thief muſt be) of good natural abilities, they availed themſelves o

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* By the Act of George I. and 6 George III. The perſon contracting for the tranſportation of convicts to the colonies, or their aſſigns, had an intereſt in the ſervice of each for ſeven or fourteen years, according to the term of tranſportation.

the

the habits of induſtry they acquired in the years of their ſervitude—became farmers and planters on their own accounts, and many of them ſucceeding in theſe purſuits acquired not only that degree of reſpectability which is attached to property and induſtry; but alſo in their turn became maſters, and purchaſed the ſervitude of future tranſports ſent out for ſale. *

The convicts having accumulated greatly in the year 1776, and the intercourſe with America being ſhut up, it became indiſpenſibly neceſſary to reſort to ſome other expedient; and in the choice of difficulties the ſyſtem of the *Hulks* was ſuggeſted and firſt adopted under the authority of the Act of the 16th of his preſent Majeſty.

The legiſlature, uncertain with regard to the ſucceſs of this new ſpecies of puniſhment, and wiſhing to try other experiments, an act of the ſame

* For ſome years previous to the commencement of the American war the adjudged ſervices of convicts became ſo valuable in Maryland, that contracts were made to convey them without any expence whatſoever to Government, who had formerly allowed 5l. a head, for freight.—Convicts were preferred to indented ſervants, for the reaſons already aſſigned, they generally were more adroit and had better abilities than thoſe who voluntarily engaged themſelves to go to America.

ſeſſion*

ſeſſion * empowered the Juſtices of every county in England to prepare houſes of correction for the reception of convicts, and to frame directions for their employment and government, and the judges were alſo authorized to order convicts under ſentence of death, to whom his Majeſty ſhould extend his Royal mercy, to be kept at hard labour in any houſe of correction, ſpecified by the Secretary of State, for a term not exceeding ten years.

The ſame act, among many other excellent regulations, ordered the convicts to be kept ſeparate, and not to mix with any offenders under the degree of petty larceny—and alſo that they ſhould be fed with coarſe inferior food, water, and ſmall beer, without permiſſion to have any other food, drink, or cloathing, under certain penalties :—they were alſo to be clothed at the public expence.

And as an encouragement to ſuch convicts, while ſuch as refuſed to work were to receive corporal puniſhment, thoſe who behaved well had not only the proſpect held out of ſhortening the period of their confinements, but alſo were to receive decent clothes, and a ſum of money not leſs than *forty ſhillings*, nor more than *five pounds*, when diſcharged.

* 16 George III. cap. 43, ſect. 1ſt, 3d, and 11th, anno 1776.

This very ſalutary act was followed up three years afterwards by another ſtatute, * which had two very important objects in view.

The firſt was to erect, in ſome convenient common or waſte ground, in either of the counties of *Middleſex*, *Eſſex*, *Kent*, or *Surry*, *two large penitentiary Houſes*, the one to hold 600 *male*, and the other, 300 *female convicts*, with proper *ſtore-houſes*, *workhouſes*, and *lodging rooms*; *an infirmary*, *chapel*, and *burying ground*—*a priſon*, *kitchen garden*, and *airing grounds*, with proper *offices*, and other *neceſſary apartments*.

The expence of theſe grounds and erections was to be paid out of the Treaſury, and his Majeſty was empowered to appoint three perſons as a Committee of management for regulating the eſtabliſhment under the controul of the Juſtices of the Peace of the county, and Judges of Aſſize, with power to appoint a *clerk*, *governor*, *chaplain*, *ſurgeon*, *or apothecary*, *ſtore-keepers*, *and taſk-maſters*; and alſo *a matron* for the females—and to allow ſalaries to each, which were to be paid out of the profits of the work.

As ſoon as theſe buildings ſhould be completed,

* 19 George III. cap. 74.

the

the Court, before whom any perſon was convicted for a tranſportable offence, might, in lieu thereof, order the priſoner to be puniſhed in any of theſe penitentiary houſes, by being kept at hard labour in the proportion of 5 *years* inſtead of 7 *years tranſportation*, and not exceeding 7 *years* in lieu of 14 *years tranſportation*—limiting at the ſame time the number of convicts to be ſent annually from the circuits in the country, and from the different ſeſſions in the metropolis.

This act lays down various ſpecific rules for the government of the eſtabliſhment, and for the employment of the priſoners, and the following works as being of the moſt ſervile kind, and leaſt liable to be ſpoiled by ignorance, neglect, or obſtinacy, are ſelected, namely——

1. Treading in a wheel for moving machinery
2. Drawing in a capſtan, for turning a mill or engine
3. Sawing ſtone
4. Poliſhing marble
5. Beating hemp
6. Raſping logwood
7. Chopping rags
8. Making cordage
9. Picking oakum
10. Weaving ſacks
11. Knitting nets, &c. &c.

The food of the different offenders, as in the

former act, is limited to bread and any coarſe meat, with water and ſmall beer, and to be clothed with uniform apparel, and badges affixed, agreeable to the inſtitution.

Certain other rules were eſtabliſhed for the diſcipline of the houſe, under the direction of the Committee to be appointed by his Majeſty, who were to attend every fortnight, and to have power to reward ſuch offenders as ſhould appear moſt diligent and meritorious, by giving them a part of their earnings to be applied for the uſe of themſelves and families.

And when an offender ſhould be diſcharged, decent clothing was to be delivered to him, with a ſum of money for preſent ſubſiſtence, not leſs than *twenty ſhillings* nor more than *three pounds*.

The ſecond purpoſe of this act, (and which is the only part of it which was ever carried into effect) regards *the continuation of the ſyſtem of the Hulks*.

It declares that for the more effectual puniſhment of atrocious male offenders liable to be tranſported, the court may order ſuch convicts as are of proper age, and free from bodily infirmity,

to

to be puniſhed by being kept on board ſhips or veſſels and employed in hard labour in raiſing ſand, ſoil, and gravel, and cleanſing the river Thames, or any other river, or port, approved of by the Privy Council, or in any other works upon the banks or ſhores of the ſame, under the direction of ſuperintendants approved by the Juſtices, for a term not leſs than *one* year, nor more than *five*, except any offender be liable to tranſportation for 14 years, in which caſe it may be commuted for 7 years on board the Hulks.

The mode of feeding is the ſame as already explained, and the clothing is to be at the diſcretion of the ſuperintendant.—A ſimilar diſcipline, varied only by local circumſtances, was alſo eſtabliſhed—and on the diſcharge of any of the convicts, they were to receive for preſent ſubſiſtence from 20s. to 3l. according to circumſtances.

The concluding part of the act obliges the governors and ſuperintendants of the two eſtabliſhments to make annual returns to the Court of King's Bench, and alſo authoriſes His Majeſty *to appoint an inſpector of the two penitentiary houſes—of the ſeveral veſſels or hulks on the river Thames, and of all the other gaols and places of criminal confinement within the city of London and county of Middleſex,*

Middleſex, perſonally to viſit every ſuch place of confinement at leaſt once a quarter, to examine into the particulars of each, and to make a return to the Court of King's Bench, of the *ſtate of the buildings—the conduct of the officers—treatment of the priſoners—ſtate of their earnings and expences*—and to follow up this by a report to both Houſes of Parliament, at the beginning of each Seſſion.*

It is much to be lamented that neither of theſe two ſalutary acts, which, ſo far as regarded penitentiary houſes, ſeemed to hold out ſo fair a proſpect of employing convicts, in purſuits connected with *productive labour*, *induſtry*, and ultimate *reformation*, without ſending them out of the kingdom, have been carried effectually into execution;—for in the year 1784, the ſyſtem of tranſportation was again revived, by the act of the 24th of His preſent Majeſty, cap. 56, "which empowers the Court, before which a male felon ſhall be convicted, to order the priſoner to be tranſported beyond ſeas, either within His Majeſty's dominions or elſewhere, and his ſervice to be aſſigned to the contractor who ſhall undertake ſuch tranſportation."

* The very uſeful ſyſtem of inſpection here alluded to, does not appear to have been at leaſt *generally* followed up;—If properly executed, unſpeakable benefits to the public would unqueſtionably reſult from it.

The

The ſame act continues the ſyſtem of the Hulks for a further length of time, by directing the removal of convicts under ſentence of death, and reprieved by His Majeſty, and alſo ſuch as are under ſentence of tranſportation (being free from infectious diſorders) to other places of confinement, either inland or on board of any ſhip or veſſel in the river Thames, or any other navigable river, and to continue ſo confined until tranſported according to law, or until the expiration of the term of the ſentence ſhould otherwiſe entitle them to their liberty.

This plan of tranſportation, through the medium of contractors, (although ſome felons were ſent to Africa) does not appear to have anſwered, from the great difficulty of finding any ſituation, ſince the Revolution in America, where the ſervice of convicts could be rendered productive or profitable to merchants, who would undertake to tranſport them, and hence aroſe the idea of making an eſtabliſhment for theſe outcaſts of ſociety in the infant colony of New South Wales, to which remote region it was at length determined to tranſport atrocious offenders.--Accordingly, in the year 1787. an act paſſed * authorizing the eſtabliſhment

* 27th George III. cap. 2.

of

of a Court of Judicature, for the trial of offenders who ſhould be tranſported to New South Wales.

Another act of the following year *, empowered His Majeſty, under His Royal Sign Manual, to authorize any perſon to make contracts for the tranſportation of offenders, and to direct to whom ſecurity ſhould be given for the due performance of the contract.

Under theſe various legiſlative regulations the two ſyſtems of puniſhment, namely, the *Hulks* and *tranſportation* to New South Wales, have been authorized and carried into execution.

The ſyſtem of the Hulks commenced on the 12th day of July, in the year 1776, † and from that time until the 12th of December 1795, comprehending a period of nineteen years, 7999 convicts have been ordered to be puniſhed by hard labour on the river Thames and Langſton

* 28th George III. cap. 24.

† In a financial view, (the ſyſtem of the Hulks) is entitled to very ſerious attention;—from the year 1776 to 1789, 220,873l. was expended in maintaining the convicts on the Thames,

Sir John Sinclair's Hiſt. Revenue, Vol. II. page 89.

and

and Portſmouth harbours, which are accounted for in the following manner.

1. Convicts ordered to hard labour on the River Thames, from 12th July 1776 to 12th January 1788 — — — —			2024
2. Convicts, *under ſentence of tranſportation*, put on board the Hulks on the river Thames, from 11th January 1783 to 12th December 1795		4775	
3. Convicts, under ſentence of tranſportation, put on board the hulks in Langſton and Portſmouth harbours, received from the hulks at Woolwich, on the the 20th of June 1791 *deduct*		466	
			4309
Additional Convicts ſent from different priſons to Portſmouth and Langſton from 1791 to 1ſt December 1795 — —		1200	6333
To which add thoſe from Woolwich as above		466	
			1666
	Total		7999
Of the above Convicts there have been			
diſcharged — —	1610		
pardoned — —	790		
eſcaped — —	130		
	2530		
Removed to other Gaols —	17		
Tranſported to New South Wales	2207		
Died * — —	1946		
And there remains in the Hulks in the Thames — —	523	6700	
And at Langſton Harbour —	776		
	1299		
Total as above			7999

* A malignant fever, at one period, carried off a vaſt number, in ſpite of every effort to prevent it.

Which 1299 will, according to their ſentences, be diſcharged in the following proportions :—

From Woolwich		Conv.	Langſton Harbour		Conv.
1796	—	3	1796	—	15
1798	—	29	1797	—	7
1799	—	183	1798	—	79
1800	—	142	1799	—	200
1801	—	52	1800	—	150
1802	—	24	1891	—	120
1806	—	5	1802	—	106
1807	—	6			—
1808	—	2			677
		—	For life	—	99
		456			—
For life	—	67		Total	776
		—			
	Total	523			

The contractors for the convicts at Woolwich and Langſton Harbour, (as appears from documents laid before the Houſe of Commons) entered into an agreement with the Lords of the Treaſury, obliging themſelves, for *the conſideration of* 1*s.* 3*d. per day for each convict*, to provide at their own coſt or charges, *one* or more *hulks*, and to keep the ſame in proper repair, and alſo proper ſhips' companies for the ſafe cuſtody of ſuch convicts, who are alſo provided at the expence of the contractors, with ſufficient *meat*, *drink*, *clothing*, and *medical aſſiſtance*, who are likewiſe bound to ſuſtain all other charges (excepting the expence of the

chaplain,

chaplain, coroner, and bounties to diſcharged convicts) * obeying, at the ſame time, all the orders of His Majeſty's principal Secretary of State for the Home Department, relative to theſe convicts.

The terms of theſe contracts appear to be as favourable for Government as could reaſonably be expected under all circumſtances; and the advantages to the public are the more prominent, as it appears from the ſame documents laid before the Houſe of Commons, that the labour performed by the convicts is productive, in a certain degree, —*as the following ſtatement will ſhew:*

From the 1ſt January 1789 to the 1ſt January 1792, it appears that 653,432 days work had been performed at Langſton Harbour, Portſmouth, and

* This expence, by an account laid before the Houſe of Commons, for one year, ending the 15th Feb. 1792, appears to be—

	£.	s.	d.
Expence of Chaplain, Coroner, and Bounties for Convicts at Woolwich — —	221	17	4
Idem, at Langſton and Portſmouth Harbours	153	19	8
Total	£375	17	0

	£	s.
Woolwich Warren, and being eſtimated at 9d. a day, is — — —	24,503	14
and		
From the 1ſt January 1789 to the 1ſt January 1792, it alſo appears that 260,440 days work had been performed at the dock yard at Woolwich, which being partly performed by artificers in a more productive ſpecies of labour, is eſtimated at 1s. a day — — —	13,022	0
Total value of Convicts' labour in 3 years.*	37,525	14

From theſe ſtatements it would appear that the eſtimated labour of the convicts on board the Hulks, amounts to about 3-5th parts of the actual expence which is incurred in their maintenance.—While great improvements have been made with regard to the reduction of the expence;—while it is evident that nothing has been wanting on the part of the executive government, with regard to a proper proviſion for religious and moral inſtruction;—and while the contractors appear to have honourably performed their part of the undertaking, it is much to be lamented that this experiment has not been productive of more beneficial conſequences to the public, not only in rendering the labour of the convicts productive in a greater degree, ſo as at leaſt to be equal to the expence, but alſo in amending the

* 500 Convicts were employed at Woolwich, and 510 at Langſton and Portſmouth, at the time theſe Accounts were made up; making in all 1100 Perſons.

morals

morals of theſe miſerable fellow-mortals, that on their return upon ſociety they might in ſome reſpect atone for the errors of their former lives, by a courſe of honeſt induſtry, uſeful to themſelves and to their country: but experience has ſhewn that many of them in place of profiting by the puniſhment they have ſuffered (forgetting they were under the ſentence of death, and undiſmayed by the dangers they have eſcaped) immediately ruſh into the ſame courſe of depredation and warfare upon the public, and ſo hardened and determined in this reſpect have ſome of them been, as even to make propoſals to their old friends, the receivers, previous to the period of their diſcharge, to purchaſe their newly-acquired plunder.

Others who are leſs depraved and perhaps diſpoſed to amend their conduct, can find no reſource for labour after they return upon ſociety. And thus, while the honeſt part of the community refuſe to employ them, they are compelled to herd with their former aſſociates in iniquity, and the reſult is, that the major part return to their old courſes, and the public are in a worſe ſituation than before.

Reflecting on this ſyſtem of puniſhment taken in connection with the various facts already detailed in this Work, it would ſeem practicable, by ſome improved arrangements, even to render the Hulks

an

an uſeful eſtabliſhment, without the hazard of thoſe injuries to the public, which are at preſent experienced.

To effect this purpoſe, it muſt be laid down as an invariable principle, *that the labour muſt be ſuch, as to cover every expence whatſoever*, and *that no convict* guilty of death ſhall be permitted to return *upon ſociety*, without ſecurity for good behaviour.

By ſelecting thoſe atrocious offenders who have forfeited their lives without any claim to mercy, as the only convicts who ſhall ever be employed in the Hulks, and by adjudging them to ſerve in a courſe of hard labour during the whole of their lives, a more dreadful example would be held out to their aſſociates in iniquity than even the puniſhment of death itſelf: * and little doubt can be entertained, that while theſe forlorn outcaſts might be rendered in ſome degree uſeful, their condition, and the dread of a ſimilar doom, would deter many others from the commiſſion of crimes.

Whoever ſhall, from habit or education, be able to mingle in a diſcuſſion of this ſort, a general

* An able Writer judiciouſly obſerves in his conſiderations on Criminal Law. Printed by Cadell, anno 1772. "That the "apprehenſion of death is not a ſufficient motive of terror: "the ſtrongeſt objects of dread to men of depraved minds are "*poverty, labour, and confinement.*

knowledge

knowledge of the common affairs of life, with the information which is attached to the duty of a Magiſtrate relative to this branch of the criminal juriſprudence of the country, will at once perceive, that there exiſts much more reſource for the profitable employment of convicts, than will occur to thoſe whoſe thoughts and purſuits have run in a different channel.

In every part of Great-Britain the labour of man has become extremely valuable.—While the extenſive manufactures of the country occupy the more ingenious handicrafts, men are often, nay always wanting, for the more laborious occupations of *digging canals*,—*removing earth for embarkments*,—*quarrying ſtones* of different kinds both for *building* and *pavements*; working on the highways—at *allum works*, and in *raiſing ore* from the numerous *mines* in different parts of the country, where there is an inexhauſtible reſource for human labour.

It has been already obſerved in the courſe of this Work *(and it is an obſervation that well deſerves attention)* namely, "That it rarely happens *that an atrocious offender, or a profeſſed thief, is not an ingenious, clever man.*"—He muſt be a man, not only of reſource, but poſſeſſing that firmneſs of mind and courage, which, if uſefully and virtuouſly employed,

ployed, would have raiſed him above the ſphere that many of this claſs appear to occupy in ſociety.

Why, therefore, ſhould not the public reap the benefit of this ingenuity in its fulleſt extent, as far as ſhall be conſiſtent with ſafe cuſtody?

While the labour of man is ſo valuable;—while ſo many public and private undertakings are going on in this country requiring this labour, *and even in many* inſtances rendering that of convicts more deſirable than any other, from the certainty of having the labour performed in a given time, ariſing from the legal diſcipline which muſt enter into the ſyſtem of controul and ſafe cuſtody, where neither the *alehouſe*, nor the *holiday rambles* will diſappoint the employers: in this, as well as other reſpects, convicts would be ſuperior to the general run of labourers.—They would be under more ſubordination.—Their labour would therefore be more productive in the courſe of a year, and thoſe diſappointments which occur, where labourers leave the ſervice of their employers on ſudden or important emergencies, would not be felt.

Upon a ſubject of this kind, of all others the moſt important to ſociety, which has been diſcuſſed

cuſſed in the courſe of this Work, it is not neceſſary to *hazard* vague or *uncertain ſpeculations*.—To men of buſineſs and men of the world, the reſource now ſuggeſted for the uſeful employment of convicts is *obvious* and *practicable* at firſt view.—The labour of man carried to its fulleſt extent, where a body of people are collected together, may be eſtimated, at the preſent period, on an average, at 1*s*. 8*d*. a day, even in the coarſeſt and moſt ſervile employment;—but if authority could be exerciſed, and unneceſſary interruptions of labour prevented, the average would be equal to *two ſhillings* at leaſt: and hence it may be fairly concluded, that to any contractor who had the means of employing *able-bodied convicts*, their ſervices, while in health, would be worth about £30. a year.

This will be more obvious when it is taken into the calculation, that many of theſe unhappy people have been bred to uſeful mechanical employments, which might render their labour extremely productive; while others, by conſtant practice, in even the coarſeſt works, ſoon acquire a ſleight or facility in the execution, which enables them to double, and ſometimes to treble their earnings in the courſe of a year.—This has been manifeſted in innumerable inſtances in removing earth, or making

embankments for canals and inland navigations.—A ſtranger to this ſpecies of labour, of the greateſt bodily ſtrength, cannot, at the outſet, earn near ſo much money as a perſon of not half the athletic powers who has been accuſtomed to ſuch work.

The ſame reaſoning applies to every kind of labour; and therefore if convicts deſtined to ſervile employments for life, are not at firſt able to earn the uſual wages, conſtant practice, aided by their own natural genius, will ſoon enable them to reach the *ne plus ultra of human exertion*, ſo as to render them valuable acquiſitions to many enterpriſing and uſeful aſſociations in this kingdom, who would not only be able to give ample ſecurity for their ſafe cuſtody; but alſo, for the due performance of every other covenant which might relate to the *preſervation of health*, and to the *food*, *cloathing*, *hours of labour*, and *religious inſtruction* of ſuch convicts:—And alſo to the allowance in money to be made to each out of their earnings: for ſuch encouragements ſhould be held out, not only to ſoften the rigor of the puniſhment in proportion to the good behaviour of the convict, but alſo to aſſiſt in the ſupport of the families of thoſe who have wives and children.

Let the experiment only be tried at firſt on a ſmall

ſmall ſcale, and if the Author of theſe pages is not much miſtaken, applications would be made by perſons of great reſpectability, and even premiums offered for an aſſignment of the ſervices of convicts under ſuch circumſtances, thereby ſhielding the public againſt a very heavy annual expence, and rendering uſeful and productive to the country the labour of the moſt miſchievous part of the community, whoſe atonement in this manner for the injuries they have done to ſociety, by being more immediately under the eye of the public, would probably go further in preventing crimes, than any mode of puniſhment that could be deviſed.

But if it ſhall not accord with the wiſdom of the legiſlature to permit the labour of convicts to be let out on contract to any perſon who can give proper ſecurity for performing the covenants which may be required, there are other methods of rendering their labour productive, by dividing them among the different dock-yards;—aſſigning a particular place where they ſhall work by themſelves, in *moving* and *ſawing large timber*,—*forging anchors*,—and alſo in making *cordage*, where, under proper management, their labour would in a very ſhort time produce, at leaſt, double the ſum neceſſary to maintain them, which would afford a liberal

reſource for thoſe pecuniary encouragements which would reconcile them to their lot, and induce them to exert all their vigor in rendering their labour productive.

The great error has been in permitting convicts to be at large upon ſociety, after herding together under circumſtances where the certainty of liberty within a known period, excites no other wiſh than to return to their former crimes, encouraged and fortified by the knowledge they have acquired in theſe ſeminaries of wickedneſs, not only of the means of eluding the detection of officers of juſtice; but alſo of evading the law, if they ſhould be apprehended.

When an atrocious offender has forfeited his life by the laws of his country, and is ready to drop into the grave, and with the dread before his eyes (which happens in many inſtances) of being placed upon the table of an Anatomiſt for diſſection:—where is the hardſhip of giving him an option to accept of *perpetual labour*, as the price of life?—Yet this has been thought too ſevere, as appears by the acts of the legiſlature quoted in this Chapter.

Reflecting, however, on the operation of this ſpecies

ſpecies of puniſhment; in point of manual labour, the hardſhip to be impoſed is no more than every honeſt artiſan, who works induſtriouſly for his family, muſt, *during the whole courſe of his life*, impoſe upon himſelf.—The conditions of a convict would even in ſome reſpects be ſuperior, inaſmuch as he would have medical aſſiſtance and other advantages tending to the preſervation of health, which do not attach to the lower claſſes of the people, whoſe irregularities, from not being reſtrained, and whoſe purſuits and labours, by not being directed by good judgment and intelligence, often produce bad health, and extreme poverty and diſtreſs.

But although it would ſeem to be an indiſpenſible rule for the purpoſe of preventing crimes, that no offender who has been condemned to death, ſhould ever be at large upon ſociety again, it is by no means meant to inſinuate that the Royal mercy ſhould be ſhut againſt all theſe unhappy outcaſts.—God forbid!—It may happen that ſome of them may well deſerve mercy after a certain probation, and the hope of obtaining it ſhould ſtill be kept alive; but when granted, in this *as well as in every other* caſe, it ſurely would be greatly for the intereſt of the public, that all perſons applying for pardons ſhould previouſly underſtand that (if free pardons) they could only be obtained on the expreſs condition

condition of the applicants themſelves, or at leaſt, two reſponſible perſons becoming bail for the good behaviour of the convict for at leaſt ſeven years, and that ſuch bail ſhould forfeit a certain ſum of money if any new crime was committed within that period.

This is ſurely a reaſonable requeſt wherever pardons are granted: for while every convict who is thus let looſe upon ſociety, after forfeiting his life, may be reaſonably ſuppoſed to increaſe the riſque of public injury; a right attaches to the community to expect ſome ſecurity againſt ſuch additional hazard.—And this will probably be granted with the leſs reluctance, as thoſe generally who intereſt themſelves in procuring pardons, do it either from a belief of the convict's innocence, or from a ſtrong impreſſion that he never will again offend againſt the laws of his country.

Having thus ſuggeſted ſuch expedients as have occurred for improving the ſyſtem of the Hulks, or domeſtic puniſhments, it now remains to examine the facts regarding the preſent mode of *Tranſportation* of convicts to New South Wales, with a view to conſider how far any practicable improvements can be introduced into that ſyſtem.

The

The moſt prominent objection is not to the ſpecies of puniſhment: but to the enormous expence attending it, * which could not poſſibly have been foreſeen at the time, otherwiſe it would probably have never been adopted. †

The

* Sir John Sinclair (whoſe indefatigable, diſintereſted, and patriotic exertions can never be forgotten while there is any gratitude in the nation) in his Hiſtory of the Public Revenue, publiſhed in 1790, vol. ii. page 89, makes uſe of the following words:

"About £100,000. has already been laid out in attempting to eſtabliſh a very unpromiſing Colony in New South Wales.—At the moſt moderate calculation, the puniſhment of petty felons, if the ſame meaſures are purſued, will coſt above £50,000. per annum: an article which has not as yet been ſtated in any eſtimate of the permanent expences of this Country."

† From the accounts and papers which were laid before the Houſe of Commons relative to the Convicts tranſported to New South Wales, and ordered to be printed the 8th of April 1791, and the 10th and 26th of March 1792: the following expences appear to have been incurred in the courſe of about four years.

	£.	s.	d.
1. Expence of the Civil Eſtabliſhment of New South Wales, from the year 1787, to the 10th of October 1790, —	13,190	17	8
2. Expence of the Military Eſtabliſhment from the year 1787, to the 1ſt of January 1791, — —	29,669	16	2
Carried over	£42,860	13	10

3. Expence

The firſt embarkation to New South Wales commenced in 1787, and in the month of May in the following year, 1030 people were landed on the new colony.—In twenty-one months after

	£.	s.	d.
Brought over	42,860	13	10
3. Expence of Tranſporting Convicts to New South Wales as far as the ſame could be made up on the 9th of February 1791, — —	161,075	17	2
4. Coſt of Proviſions and Stores which have been ſent to New South Wales for the maintenance and ſupport of the Settlements there, as far as the ſame could be made up on the 9th of February 1791, — —	84,553	4	8¾
5. Expences of His Majeſty's Ships *Sirius*, *Supply*, *Guardian*, and *Gorgon*, ſent on ſervice to New South Wales —	95,601	0	0
Total (printed by order of the Houſe of Commons) 8th of April 1791, —	384,090	15	8¾

1. Expence of proviſions and ſundry articles ſent to New South Wales, including bills drawn on account of Convicts ſent thither, per account, made up to the 7th of Feb. 1792, - £. 22,179 12 6

Carried over 384,090 15 8¾

2. Expences

after, there were 77 deaths and 87 births in the ſettlement, which was divided, by placing a part of the convicts in Norfolk Iſland, a ſmall fertile ſpot, containing only about 14,000 acres of land; and ſituated above 1200 miles diſtant from Sydney Cove, in New South Wales; where the ſeat of government is fixed.—In this project, conſiderably above half a million of money has been expended. —A circumſtance, which certainly ſhews the great anxiety of Government to deviſe ſome means of puniſhment

	Brought over	£22,179	12	6	£384,090	15	8¾
2.	Expence of proviſions and ſtores ſent to New South Wales, for the ſupport of the Convicts, including bills drawn, per account, made up to the 23d of February 1792, —	53,551	17	0½			
3.	Expence of cloathing, tools, and implements of huſbandry, ſhipped in the Pitt Tranſport, reported 16th of Feb. 1792, -	7,937	5	4			
4.	Expence of cloathing and neceſſaries, ſhipped in the Kitty Tranſport, reported 16th of Feb. 1792, —	195	0	0			
5.	Specie, ſhipped to New South Wales in the Kitty Tranſport, reported 16th of Feb. 1792 -	1,001	0	0			
	Carried over	84,864	14	10½	£384,090	15	8¾

puniſhment calculated to rid ſociety of theſe irreclaimable outcaſts, who were daily accumulating, and preſſing for the adoption of ſome expedient to prevent their return upon the public.

	Brought over	84,864 14 10½	384,090 15 8¾
6. Cloathing and other articles, ordered to be provided by an order of Treaſury, dated 5th of January, 1792, eſtimated by report 16th of Feb. 1792, at -	12,000 0 0		
Total (printed by an order of the Houſe of Commons, 10th and 26th of March 1792,) — —			96,864 14 10½
	Aggregate Total		£480,955 10 7¼
*** By the above-mentioned document, the future civil eſtabliſhment is fixed annually at -	£3,856 0 0		
Future annual charge of the military eſtabliſhment, —	6,134 7 3		
	Total, from 1791, to 1792,		9,990 7 3
Total expence, as far as it could be made up till February, 1792, —			£490,945 17 10¼

☞ *The number of Convicts ſent from the commencement of the Eſtabliſhment till the above period, namely, from* 1787, *to* 1791, *incluſive, muſt have been about* 5000: *as nearly as a judgment can be framed from the public documents.*

Like

Like all new colonial ſettlements, great ſtruggles, ſevere hardſhips, and difficulties were experienced at the outſet, and for ſome years after, heightened in a very conſiderable degree by the immenſe diſtance from the mother country,— the vaſt length of the voyage, and the difficulty and uncertainty of ſending regular ſupplies, which were often felt (notwithſtanding the attention of the executive government) as a ſerious evil, ſince the principal ſupport of the Colony, for the firſt three years, depended chiefly on the proviſions, ſtores, and cloathing, which were ſent from England; and although with regard to *mere ſubſiſtence*, there is now a proſpect of the Colony becoming independent of ſupplies from this Country, yet with reſpect to cloathing and all other articles, its wants will experience no diminution, and humanity requires that they ſhould be ſupplied.

When the meaſure of making a ſettlement in New South Wales was determined upon, a hope was probably entertained that while the great expence of a paſſage home, joined to the fertility of the ſoil, and the ſalubrity of the climate, would induce convicts to remain after the expiration of their baniſhment, ſo as not to become troubleſome again in their native country; the tranſportation to an unknown region, inhabited by ſavages, and

placed at ſuch a remote diſtance from England, would exhibit this ſpecies of puniſhment in a light ſo terrific as to prove the means of preventing crimes.

Experience, however, has ſhewn, not only that this ſalutary effect has not been produced; but that the great diſtance of New South Wales has not proved a bar to the return of ſeveral of the more atrocious and adroit thieves, who are known to be again upon the town.

If the aged or infirm therefore were ſent out, they alone would, in proceſs of time, become the chief inhabitants of the colony, and would prove a dead weight upon Government as long as they exiſted.

Conſidering the very remote diſtance of New South Wales, it is much to be lamented, that no immediate proſpect is held out of any of its productions ever becoming a valuable article of commerce in Europe.—This circumſtance, by depriving the inhabitants of the power of making any returns for the ſupplies of cloathing and other European articles, which their neceſſities require, joined to the great expence of conveying ſuch ſupplies, encourages no hope of the national expence being materially diminiſhed (excepting with regard

to

to the articles of provifion) for a great length of time. *

Difappointed therefore in moft of the expectations which were formed of the early ability of the new inhabitants at leaft to fupply all their own wants, a defire to reduce the national expence annually incurred, or at leaft to keep it within moderate bounds, will fuggeft the idea of limiting the tranfportation of felons to thofe more atrocious offenders, who are not only in the full vigour of youth and health, fo as to fupport themfelves by their own labour, but alfo of that defcription in point of rooted depravity as to render it dangerous to hazard their mixing with country convicts or others, who might, according to the idea already fuggefted, be rendered ufeful in their native country.

But while a felection is thus fuggefted, a confiderable difficulty arifes, which certainly was not in the contemplation of the legiflature, when the fyftem of tranfportation to New South Wales was firft devifed.—What is to become of thofe convicts who are *aged*, *lame*, *ruptured*, *epileptic*, or otherwife

* The cultivation of Indigo feems to hold out the only profpect of enabling the new coloniſts to pay for the fupplies which muſt neceſſarily be ſent them.

incapacitated

incapacitated to work in agricultural purſuits?—they cannot be ſent to ſo diſtant a region, without, in the firſt inſtance, doing violence to the feelings of humanity, by hazarding their death upon ſo long a voyage; or, if they arrive, of entailing upon the public a great additional expence, by ſupporting them as long as they exiſt.

While this claſs (who are not ſeldom the moſt criminal) can be ſupported at home, at, perhaps, 1-5th of the annual expence, ſome means may be deviſed of employing them in penitentiary houſes, ſo as to render their labour at leaſt equal to their ſupport, and hence ariſes the neceſſity of eſtabliſhing, perhaps *four* modes of puniſhment for felons guilty of death or tranſportation.

I. To ſelect the moſt docile and the leaſt depraved convicts, who have either been recently led aſtray, or have been convicted of crimes committed in the country, and who do not at all belong to any gang or criminal aſſociation, in the metropolis; to be employed either in the dock yards, or their ſervices made over to perſons engaged in public works, who would agree to feed and clothe them, and to make them certain allowances for the ſupport of their families, from the produce of their labour—and this without any expence to the public.

II. To

II. To ſelect thoſe very atrocious offenders who are able to labour, but too far advanced in life to anſwer the expence of ſending them to New South Wales, and to confine them, during life, in the hulks, to labour in raiſing ballaſt in the River Thames, or to perform ſervile work in the public arſenals, under circumſtances where every attention ſhould be paid to their health and religious inſtruction.

III. To ſelect the moſt depraved and hardened convicts, in the vigor of life, who belong to gangs of rogues, and have extenſive criminal connections in the metropolis, who have been long upon the town as profeſſed thieves and burglars, and tranſport them to New South Wales for life.

IV. To ſelect the *aged*, *infirm*, *lame*, *ruptured*, and *epileptic* convicts, who have been under ſentence of death, and confine them for life in penitentiary houſes, allowing them, as an encouragement to labour as far as they are able, one moiety of the net profits of their earnings after all expences are paid.

This mode of diſpoſing of theſe unhappy *outcaſts*, while it tended greatly to reduce the preſent expence, would, when combined with the other regulations which are propoſed, operate very powerfully in reducing the number of crimes, as well as criminal

criminal people, and of courſe the number of convicts in future.

Examples of puniſhment in immediate executions ſolemnly conducted, where the enormity of the offence rendered ſo dreadful a ſacrifice neceſſary for the good of the public; joined to the exhibition of others doomed to work on the highways or at public works in the view of the great body of the people; while a third claſs is beheld in the forlorn ſtate of perpetual impriſonment in the Hulks, without hopes of pardon * unleſs ſecurity can be found; and a fourth baniſhed from their country for ever;—would, perhaps, prove the moſt merciful arrangements that could be made for the prevention of crimes and the happineſs and ſecurity of the maſs of the people;—and from the melancholy picture which has been exhibited in the preceding pages of this volume, it is but too evident that for the purpoſe of extending ſecurity and even mercy to the public at large, ſomething ſtrong and energetic has become indiſpenſibly neceſſary.

* To pardon is one of the nobleſt Prerogatives of the Throne, but at the ſame time a tacit diſapprobation of the laws.
M. Beccaria, Chap. XCVI.

Penitentiary

Penitentiary houſes, in which it is propoſed to confine diſeaſed convicts, has, for the laſt twenty years, been conſidered as a very popular mode of puniſhment, and it cannot be ſufficiently lamented that the excellent laws now in being for giving energy and effect to this ſyſtem have been ſo partially carried into execution,—for in ſpite of all the diſappointments which have been experienced as to expected utility, where ſuch houſes have been erected, the error, upon a minute examination, will be found, wherever ſucceſs has not attended the experiment, to originate in the executive management, which requires an aſſemblage of qualities, diſpoſitions, and endowments, which are ſuppoſed rarely to meet in any one man—namely, *the education and habits of a complete man of buſineſs and reſource,—generally acquainted with the common affairs of life—poſſeſſing an active and diſcriminating mind, and indefatigable induſtry, joined to a philanthropic diſpoſition—the pureſt morals, and no hurtful propenſity or turn for any idle amuſement ;—and withal a perſon* (ſo qualified) *to whom ſuch a ſituation would prove convenient and comfortable.*

That there are ſuch men to be found (although rare) is unqueſtionably true. And it is reaſonable to preſume that public advertiſements, joined to adequate encouragements, would bring men of

great merit and diſcretion forward, whenever it ſhall become the ſyſtem to have recourſe to ſuch *a mode* of application.

Under ſuch ſuperintendance there would be little danger, with the reſources which the metropolis affords, of finding good and productive labour, ſuited to the ſituation and former purſuits of the convicts, while equal attention would be beſtowed, on the means of working their reformation, and of reſtoring the leſs criminal to ſociety, after a certain period, with a proſpect of becoming more uſeful and peaceable members of the community.

It is earneſtly to be hoped, therefore, that the good intentions of the legiſlature will not be defeated, and that the ſalutary meaſure of building and improving penitentiary houſes in the different counties will be carried into effectual execution, purſuant to the act of the 16th of His preſent Majeſty already mentioned.—And if in addition to this, the national penitentiary houſes for male and female convicts, propoſed to be built in the vicinity of the metropolis, by the act of the 19th of George III. (and ſince enlarged by the 34th of His Majeſty, cap. 84.) ſhall be carried into execution, a moſt uſeful reſource will be afforded not only

only for the confinement of the fourth claſs of aged and diſeaſed convicts, but alſo for thoſe who are convicted of larcenies and miſdemeanors, and whoſe puniſhment does not extend to tranſportation.

This laſt deſcription of convicts are extremely numerous, as has been already ſhewn, * of whom many hundreds, after a ſhort impriſonment, are vomited back every year upon ſociety, *without reformation, —without character,—without friends,—and without the means of ſubſiſtence.*

The reſult is painful to reflect upon.—They generally reſort to new crimes, to which they are ſeldom ill diſpoſed, from the education they have received in the ſchools of profligacy, which they have recently left, and by this kind gradation the ſlight offender becomes a complete villain.

Let an appeal be made to the feelings of humanity in behalf of theſe early victims to vice and criminality, and let their unhappy ſituation plead for the eſtabliſhment of the local and national pe-

* Vide Page 252.

nitentiary houſes which the legiſlature has authoriſed; that in the progreſs of their future puniſhment, while the link of connection with their aſſociates in miſchief, is deſtroyed, they may be arreſted in the career of villainy, and after a courſe of labour, ſobriety, and religious inſtruction, joined to good and judicious diſcipline, accurately carried into execution, they may be reſtored to ſociety, with minds freed from depravity, and with thoſe habits of induſtry and that diſpoſition to lead a new life which will entitle them to a certificate of good behaviour calculated to reſcue them from the dreadful ſtate of being outcaſts of ſociety, and to afford them, at leaſt, ſome chance of ſupporting themſelves by an honeſt employment when they are at large upon the world.

Theſe propoſitions are not the refinements of ſpeculation doubtful and uncertain in their iſſue.

The whole ſyſtem accords either with what has been already ſuggeſted in ſubſtance and effect by the legiſlature, or what has been conceived to be practicable, under the controul of an able and active ſuperintendance.

If imperfections in the progreſs of the execution

tion of the deſign ſhall be diſcovered, other remedies will occur.—And in a matter of ſo much importance to ſociety, as well to the cauſe of humanity, no good man will withhold his advice or aſſiſtance, wherever it may be required, in perfecting a plan, the object of which is to reſcue thouſands yet unborn from miſery and deſtruction.

CHAP.

CHAP XII.

The Police of the metropolis examined.—Its organization explained, both with regard to municipal regulations, and that branch of Police connected with the prevention and ſuppreſſion of crimes.—The utility of the new ſyſtem of Police eſtabliſhed in 1792, *examined and explained.—Reaſons aſſigned why this ſyſtem has not tended in a greater degree to the ſuppreſſion and prevention of atrocious crimes.—Its great deficiency from the want of funds, by which Magiſtrates are crippled in their exertions, with regard to the detection and puniſhment of offenders.—Reaſons in favour of a new Syſtem—The Police of the city of London (as now conſtituted) explained and examined.—Suggeſtions relative to ſtipendiary Juſtices, and the benefits likely to reſult from their exertions in aſſiſting the City Magiſtrates, from whoſe other engagements and purſuits, that cloſe and laborious attention cannot be expected which the public intereſt requires.—The Magiſtrates of London the moſt reſpectable, perhaps, in the world.—The vaſt labour and weight of duty attached to the Chief Magiſtrate.—The Aldermen have certain duties aſſigned them, which ought not, in juſtice, to be augmented, where*

where men act gratuitously.—The benefits which result to the community from stipendiary Magistrates, considered in different points of view, and exemplified in the advantages which have arisen from the system under the act of 1792.—*General reflections on the advantages which would arise from the various remedies which have been proposed in the course of this Work.*

HAVING in the preceding Chapters endeavoured to bring under the review of the reader, not only those prominent causes which have occasioned that great increase of public wrongs which every good man must deplore, but also the *various classes of delinquency*, which fill up the melancholy catalogue of human depravity,—as well as such observations and facts relative to *detections*, *trials*, and *punishments*, as seemed to be necessary for the purpose of elucidating a subject of great importance, to be understood by all ranks of society :—it remains now to explain what is no less interesting and important—namely, the organized principle or agency by which the public are to be shielded from those enormities which have been already detailed, and from which is to be expected that energy and those exertions which have been

been ſhewn to be ſo indiſpenſibly neceſſary for the ſuppreſſion and prevention of crimes.

The Police of this great metropolis is the organized agency alluded to.—It is a ſyſtem highly intereſting to be underſtood, but heretofore (as far as the author has had acceſs to know), has never been, at any period, fully explained through the medium of the Preſs;—and hence it is, that a vaſt proportion of thoſe who reſide in the capital, as well as the multitude of ſtrangers who reſort to it, have no accurate idea of the principles of organization which moves ſo complicated a machine, eſtabliſhing thoſe conveniencies and accommodations, and preſerving that regularity which prevails in thoſe particular branches of Police which may be denominated *municipal regulations* * ſuch as *paving*, *watching*, *lighting*,

* The metropolis of the empire having been extended ſo far beyond its ancient limits;—every pariſh, hamlet, liberty, or precinct, now contiguous to the cities of London or Weſtminſter, may be conſidered as a ſeparate municipality, where the inhabitants regulate the Police of their reſpective diſtricts, under the authority of a great variety of different acts of Parliament, enabling them to raiſe money for paving the ſtreets, and to aſſeſs the houſeholders for the intereſt thereof, as well as for the annual expence of *watching, cleanſing, and removing nuiſances and annoyances.*—Theſe funds, as well as the execution of the powers of the different acts, (excepting where the interference of

lighting, cleanſing, and removing nuiſances; furniſhing water; the mode of building houſes; the ſyſtem *eſtabliſhed* for *extinguiſhing fires*, and for regulating *coaches, carts*, and *other carriages*; with a variety of other uſeful improvements, tending to the comfort and convenience of the inhabitants.

This important branch of Police, however, not falling within the criminal department, is briefly detailed in the Notes which make a part of this Chapter.

With regard to that branch which is connected with the *prevention* and *ſuppreſſion* of crimes, it has been

of Magiſtrates are neceſſary) are placed in the hands of truſtees, of whom, in many inſtances, the Churchwardens or Pariſh Officers for the time being, are members *ex officio*; and by theſe different bodies, all matters relating to the immediate ſafety, comfort, and convenience of the inhabitants are managed and regulated.

Theſe regulations, however, are moſtly founded upon ſtatutes made in the laſt and preſent reign.

The act of the 2d of William & Mary, cap. 8, for paving, cleanſing, &c. within the city and liberties of Weſtminſter, and the bills of Mortality, not having been found applicable to modern improvements, new ſyſtems became neceſſary, and the reſult is that an incredible number of private ſtatutes applicable to the different pariſhes, hamlets, and liberties, within the metropolis, have been paſſed within the laſt 50 years.

been already ſtated in this Work, that twenty-ſix Magiſtrates, forming that reſpectable body, comprehending the Lord Mayor and Aldermen, ſit in rotation every forenoon, and take cognizance of all matters of Police, within the ancient juriſdiction of the city of London, * while twenty-four ſtipendiary Magiſtrates have been appointed for every other part of the metropolis, having particular offices or courts of juſtice aſſigned them at convenient diſtances in Weſtminſter, Middleſex, and Surry, † where they ſit every day (Sunday excepted) both in the morning and evening, for the purpoſe of executing all thoſe multifarious duties, connected with the office of a Juſtice of the Peace, which unavoidably occur in large ſocieties.

This

The act of the 10th of Geo. II. cap. 22, eſtabliſhed a ſyſtem for paving, lighting, cleanſing, and watching the city of London: but the ſtatute which removed *ſigns, and ſign poſts, balconies, ſpouts, gutters,* and thoſe other *encroachments* and *annoyances,*

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* *At the Manſion Houſe and Guildhall*

† *Public Office, Bow Street,*
Public Office, Queen Square
Public Office, Great Marlborough Street } *Weſtminſter*

Public Office, Hatton Garden
Public Office, Worſhip Street, Shoreditch
Public Office, Lambeth Street, Whitechapel
Public Office, High Street, Shadwell } *Middleſex*

Public Office, Union Hall, Southwark *Surry*

This inſtitution of ſtipendiary Juſtices (except with regard to the three Magiſtrates at Bow-Street) has only exiſted ſince the year 1792.

It was ſuggeſted to the Legiſlature in conſequence of the preſſure which was felt by the public, from the want of ſome regular and properly conſtituted tribunals for the diſtribution of juſtice, where the ſyſtem ſhould be uniform, and where, from the purity of the Magiſtrates, and their regular attendance, no inconvenience ſhould be felt by the lower orders of the people, either with regard to the adjuſtment of their differences at the leaſt poſſible

ances, which were felt as grievances by the inhabitants, did not paſs till the year 1771.—The 11th of Geo. III. cap. 29, contains a complete and maſterly ſyſtem of that branch of the Police which is connected with municipal regulations, and may be conſidered as a model for every large city in the empire.—This excellent act extends to every obſtruction by carts and carriages, and provides a remedy for all nuiſances, which can prove, in any reſpect, offenſive to the inhabitants, and ſpecial commiſſioners are appointed to enſure a regular execution. It is further improved by the 33d of His preſent Majeſty, cap. 75.

In the city and liberty of Weſtminſter alſo many new and uſeful municipal regulations have been made within the preſent century.—The acts of the 27th of Elizabeth, and 16th of Charles I. divided the city and liberties into 12 wards, and appointed 12 burgeſſes to regulate the Police of each ward, who,

poſſible expence, or with reſpect to that aſſiſtance which they might derive from the gratuitous advice of the Magiſtrates of the diſtrict, to whom they might have an opportunity of reſorting under every difficulty, as well as for their official aid, wherever it fell within their ſphere to aſſiſt them.

The duty of theſe ſtipendiary Magiſtrates (in conjunction with other county Magiſtrates, who find it convenient to give their aſſiſtance,) extends alſo to important judicial proceedings, where in a great variety of inſtances they are empowered and required to *hear* and *determine*, in a ſummary way, particularly in caſes relative to the *cuſtoms and exciſe*,

with the dean or high ſteward of Weſtminſter were authoriſed to govern this diſtrict of the metropolis.

The act of the 29th of Geo. II. cap. 25, enabled the dean or his high ſteward to chuſe 80 conſtables in a court leet: and the ſame act authoriſed the appointment of an annoyance jury of 48 inhabitants to examine weights and meaſures, and to make preſentments of every public nuiſance either in the city or liberty.—The act of the 31ſt of Geo. II. cap. 17, and 25, improved the former ſtatute, and allowed a free market to be held in Weſtminſter.—The act of the 2d of George III. cap. 21, extended and improved the ſyſtem for *paving, cleanſing, lighting, and watching* the city and liberty, by including ſix other adjoining pariſhes and liberties in Middleſex, which act was afterwards amended by the 3d of His preſent Majeſty, cap. 23.—The

exciſe, and ſtamps—the game laws,—hawkers, and pedlars--pawnbrokers--friendly ſocieties--highways,--hackney coaches, carts, and other carriages.—Quakers and others refuſing to pay tythes—appeals of defaulters in parochial rates—miſdemeanors committed by perſons unlawfully pawning property not their own—bakers for ſhort weight, &c.—journeymen leaving their ſervices in different trades—labourers not complying with their agreements—diſorderly apprentices—alehouſe keepers keeping diſorderly houſes,— nuiſances by different acts of Parliament—acts of vagrancy by fraudulent lottery inſurers—fortune tellers—perſons of evil fame in avenues to public places, with an intent to rob—as well as a multitude of other

23.—The act of the 5th and 11th of the ſame reign, cap. 13, 22. and 50, made further improvements in the general ſyſtem by which thoſe branches of Police in Weſtminſter are at preſent regulated.

In the borough of Southwark, alſo, the ſame ſyſtem has been purſued; the acts of the 28th of his late Majeſty, cap. 9, and of his preſent Majeſty, cap. 24, having eſtabliſhed a ſyſtem of municipal regulations, applicable to this diſtrict of the metropolis, relative *to markets, hackney coach ſtands, paving, cleanſing, lighting, watching, marking ſtreets,* and *numbering houſes,*—and placing the whole under the management of commiſſioners.

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* In a Tract, printed by Downes, No. 240, Strand, anno 1794, entitled, *Obſervations and Facts relative to Public Houſes, intereſting to Magiſtrates in every part of Great Britain,*

other offences, where Magiſtrates have power to proceed to conviction and puniſhment, either by fine or impriſonment.

The duty of the Magiſtrates alſo extends to a vaſt number of other objects, ſuch as *licenſing public houſes*, and eſtabliſhing rules and orders for publicans,* *watching over the conduct of publicans—ſwearing in, and charging and inſtructing parochial conſtables and headboroughs from year to year, with regard to their duty—iſſuing warrants for privy ſearches, and in conſidering the caſes of perſons charged with being rogues, vagabonds, or idle and diſorderly people, liable to be puniſhed under the act of the 17th of George II. or fit for the navy—orders to*

In contemplating the great leading features of municipal regulation, nothing places England in a ſituation ſo ſuperior to moſt other countries with regard to cleanlineſs, as the *ſyſtem of the ſewers*, under the management of ſpecial commiſſioners, in different parts of the kingdom, and introduced ſo early as the 6th year of Henry VI. and completely organized by the

tain, as well as to the Public at large, the ſubject is diſcuſſed at conſiderable length, and rules propoſed for the better regulation of public houſes, which have been adopted in the largeſt diſtrict of the metropolis; where ale-houſes are regulated in a manner more conducive to the public intereſt in regard to the morals of the people, than before the eſtabliſhment of the police ſyſtem.

6th

to pariſh officers, beadles and conſtables, in a variety of caſes—in pariſh removals—in billeting ſoldiers—in conſidering the caſes of poor perſons applying for aſſiſtance, or admiſſion to workhouſes—in granting certificates and orders to the wives of perſons ſerving in the militia, and alſo *in atteſting recruits for the army—in examining aliens, and in granting them certificates—in attending the general and quarter ſeſſions of the peace, and in viſiting the workhouſes, bridewells, and priſons.*

In addition to theſe various duties, a multitude of criminal caſes occur in the courſe of a year, which are examined for the purpoſe (if neceſſary) of being ſent to ſuperior tribunals for trial:—ſuch as charges of *murder, treaſon, ſedition, coining, and uttering*

6th, 8th, 23d, and 25th of Henry VIII.—afterwards improved by the 3d, and 4th of Edward VI. 1ſt of Mary, 13th of Elizabeth, and 7th of Anne.

Sewers being early introduced into the metropolis, as well as other cities and towns, in conſequence of the general ſyſtem, every offenſive nuiſance was removed through this medium, and the inhabitants early accuſtomed to the advantages and comforts of cleanlineſs.

Another feature ſtrongly marking the wiſdom and attention of our anceſtors, was the introduction of water for the ſupply of the metropolis, in the reign of James I. in 1604. The improvements

uttering baſe money, arſon, manſlaughter, forgery, burglary, larceny, felonies of various deſcriptions, conſpiracies, frauds, riots, aſſaults, and miſdemeanors of different kinds:—and which caſes unavoidably impoſe upon every ſtipendiary Magiſtrate, a weight of buſineſs requiring great exertions, and an unremitting attention to the public intereſt in the due execution of this very important truſt.

When the police ſyſtem was firſt eſtabliſhed in the year 1792, the public mind became impreſſed with an idea that the chief, if not the only, object of the inſtitution was to prevent *robberies, burglaries*, and other *atrocious offences*, and that the ſuppreſſion

provements which have been ſince made for the convenience of the metropolis, in extending the ſupplies by means of the New River, and alſo by the acceſſion of the Thames water, through the medium of the London Bridge, Chelſea, York Buildings, Shadwell, and other water works, are unneceſſary to detail.

The acts of the 9th of Queen Anne firſt eſtabliſhed the regulations with regard to hackney coaches and chairs, which have been improved and extended by the ſubſequent ſtatutes of the 1ſt of George I. and by the 4th, 7th, 10th, 11th, 12th, 24th, 26th, and 32d of George III.

Theſe acts authoriſe *one thouſand coaches* and *four hundred hackney chairs*, to be licenſed for the accommodation of the inhabitants of the metropolis, and the Magiſtrates as well as the

preſſion of thoſe crimes which preſſed hardeſt upon ſociety, and were moſt dreaded by the public at large, was to be the reſult.

But while ſuch expectations were formed, neither the powers or authorities granted by the act of Parliament, nor the other duties impoſed upon the Magiſtracy of the Police were underſtood.

It is not generally known, and, perhaps, will ſcarce be believed, that the ſtatute under which the ſtipendiary

the commiſſioners are empowered to decide in a ſummary way, upon all complaints ariſing between coachmen and chairmen and the inhabitants, who may have occaſion to employ them.

Carts and other carriages have alſo been regulated by the different acts made in the 1ſt year of the reign of George I. the 18th, 24th, and 30th of George II. and the 7th and 24th of His preſent Majeſty, which ſeveral ſtatutes contain a very complete ſyſtem, relative to this branch of Police, where all complaints ariſing from offences under theſe acts, are alſo cognizable by the Magiſtrates in a ſummary way.

By the act of the 34th of George III, cap. 65, eſtabliſhed an improved ſyſtem, with regard to *watermen plying on the River Thames*—The Lord Mayor and Aldermen are empowered to make rules and orders for their government, who, with the Recorder, and the Juſtices of the Peace of the reſpective counties and places next adjoining to the Thames between Graveſend and Windſor ſhall reſpectively have authority within the

ſtipendiary Magiſtrates act, (uſeful as it certainly is in many other reſpects) does not contain even a ſingle regulation applicable to the prevention of crimes, except that which relates to the apprehenſion of ſuſpicious characters, found in the avenues to public places, with intent to commit felony, who are liable to be puniſhed as rogues and vagabonds,—and even this does not extend to the city of London.

But

city, and the adjacent counties between Graveſend and Windſor, to put in execution not only the *laws*, but alſo the rules and orders relative to ſuch watermen, which ſhall be ſent to the ſeveral Public Offices in the metropolis, and to the Clerks of the Peace of the counties joining the Thames, within 30 days after ſuch rules are made or altered. By this act the Magiſtrates have a power to fine watermen for extortion and miſbehaviour, and perſons refuſing to pay the fares authoriſed by law, may be compelled to do ſo, with all charges, or be impriſoned for a month; and perſons giving a waterman a fictitious name or place of abode ſhall forfeit 5l.

Offences relative to the driving of cattle improperly, uſually termed *bullock hunting*, are alſo determined by the Magiſtrates in the ſame ſummary way, under the authority of an act paſſed the 21ſt of His preſent Majeſty, by which every perſon is authoriſed to ſeize delinquents guilty of this very dangerous offence.

The laſt great feature of uſeful municipal Police which the author will mention, are the excellent regulations relative to *buildings*, *projections*, and *fires*, firſt adopted after the fire of London in 1666, and extended and improved by ſeveral acts of

Parliament

But this is not all—an eſtabliſhment is created without the moſt neceſſary of all engines to give the exertions of the Magiſtrates, vigor and effect, —namely, a pecuniary fund to defray the expences of detecting criminal people, and of remunerating thoſe who bring informations uſeful to public juſtice.

The expence of each Public Office being reſtricted to *two thouſand pounds* a year, and the eſtabliſhment in *ſalaries*, *rents*, *taxes*, and other *contingencies*, exhauſting that ſum, nothing remains for the moſt neceſſary purpoſes of the inſtitution—the *prevention* and the *ſuppreſſion of crimes*.

It is in vain to expect that either vigor or energy can enter into that part of the ſyſtem, where a great deal of *both* are neceſſary, *without funds*.

If criminal people, at war with the community, are to be detected—if riſks are to be run to effect this purpoſe—if it is to be done, as it muſt be frequently,

Parliament paſſed from that time down to the 14th of His preſent Majeſty.

This of the 14th of George III. which repeals the former acts, beſides regulating the mode of building houſes in future, ſo as to render them *ornamental*, *commodious*, and *ſecure* againſt

quently, at the hazard of the loſs of health, and *even of life*, by watching deſperadoes in the night time—if accurate informations are neceſſary, either to diſcover where ſtolen property is depoſited, or where the delinquents are to be found, a fund muſt be provided, or the public cannot be protected.—A Magiſtrate muſt not expect that men capable of giving him uſeful information will come a ſecond time, if they have not ſome ſmall reward beſtowed upon them for their labour, riſk, and trouble.—Without ſuch power of granting ſmall rewards, in ſo far as that part of the duty of a Magiſtrate which relates to the diſcovery of property plundered, and the detection of the offenders is of importance

the accidents of fire, eſtabliſhed other uſeful rules for the prevention of this dreadful calamity, by rendering it incumbent on Churchwardens to provide one or more engines in every pariſh to be in readineſs, on the ſhorteſt notice, to extinguiſh fires, and alſo ladders to favor eſcapes, and that every facility might be afforded with regard to water;—it is alſo incumbent on the Churchwardens to fix ſtop blocks and fire plugs at convenient diſtances upon all the main pipes within the pariſh, and to fix a mark in the ſtreet where they are to be found, and to have an inſtrument or key ready to open ſuch fire plugs, ſo that the water may be acceſſible for extinguiſhing fires on the ſhorteſt poſſible notice, and that every thing might be done to enſure facility and diſpatch; the perſon bringing the firſt pariſh engine to any fire, is entitled to 30s. the ſecond to 20s. and the third to 10s. paid by the pariſh, excepting in caſes where chimnies

importance to the public, he is placed in the ſituation of a perſon pledged to work without tools or implements of labour, by which he can in any reſpect accompliſh his purpoſe.—And hence it is, that among the numerous cauſes which have been aſſigned in the courſe of this Work, for the increaſe of crimes,—this is none of the leaſt.

Not that it is meant that any additional burden on the public, by an extenſive expenditure of money, would be neceſſary—a very moderate ſum judiciouſly and œconomically laid out, would bring to the *diſburſing Magiſtrates*, through ſome medium or other, an early account of moſt of the depredations committed upon the public, as well as every circumſtance relative to coiners and ſellers of baſe money.

nies are on fire, and then the expence falls upon the perſon inhabiting the houſe or place where it originated.

This excellent ſtatute, ſo ſalutary in its effects with regard to many important regulations of Police, alſo obliges all beadles and conſtables, on the breaking out of any fire, to repair immediately to the ſpot with their long ſtaves, and to protect the ſufferers from the depredations of thieves, and idle and diſorderly people, and to aſſiſt in removing effects and in extinguiſhing the flames.

Theſe outlines will explain, in ſome meaſure, by what means the ſyſtem of the Police, in moſt of its great features, is conducted

money, ſo as to lead to the detection and apprehenſion of moſt of thoſe offenders to whom ſuch informations may apply, and thereby ſtrike ſuch an univerſal terror, as (when aſſiſted by the other ſalutary regulations which have been propoſed) would ſoon reduce the number of thieves, coiners, and other delinquents, and of courſe the ultimate and great additional expence which follows conviction, in all caſes where felons are either tranſported or ſent to the Hulks.

In this view of the ſubject it would prove a regulation calculated greatly to reduce the aggregate

ducted in the metropolis—to which it may be neceſſary to add, that the beadles of each pariſh are the proper perſons to convey informations, in caſe of any inconvenience or nuiſance, by which a ſtranger may have it removed.

The City and Police Magiſtrates in their reſpective courts, if not immediately authoriſed, upon every preſſure, to remedy the wrong that is ſuffered, will point out how it may be effected.

It is however earneſtly to be wiſhed that one general act comprehending the whole of the excellent regulations made for the city of London, (ſo far as they will apply) could be extended to every part of the metropolis, that a perfect uniformity might prevail both with regard tothe different offences committed, and alſo with reſpect to the penalties and puniſhments to be inflicted for ſuch miſdemeanors, as may abridge the comfort or convenience of the inhabitants.

expence—

expence—for ſurely, if *five guineas* judiciouſly laid out, in the firſt inſtance, would ſave *fifty* afterwards, to the ſtate, it muſt be a wiſe and a good arrangement,—and in this way it would probably operate.—But this would not be the only ſaving to the nation :—by preventing crimes all thoſe concerned in projects of miſchief, muſt, in place of preying upon the induſtry of others, aſſiſt the ſtate, by contributing their ſhare to the national ſtock of labour.

Next to the want of a ſufficient pecuniary fund, the moſt obvious deficiency in the preſent ſyſtem of executive Police in the metropolis, is that which regards the Magiſtracy of the city of London, *where the caſe is preciſely reverſed;* for *there* the funds for the detection and diſcovery of offenders, may be made as ample as the corporation ſhall think fit: but where the want of a ſtipendiary eſtabliſhment muſt prevent the operation of that ſyſtem of vigor and energy which the increaſe of criminal people, and the preſent ſtate of ſociety require.

This can only be expected where there is an eſtabliſhment of Magiſtrates, pledged to devote their whole time and attention to the object.——

Wherever

Wherever this is neceſſary (and few will venture to ſay that it is not ſo in the metropolis, as well as in many of the large provincial towns,) it is in vain, and it would be even unjuſt, to expect either a regular attendance, or that indefatigable induſtry which the public intereſt requires, from Magiſtrates acting gratuitouſly, and without any remuneration.

Where men of education, deemed fit to fill an office of ſuch importance in the Country, pledge themſelves, as they muſt neceſſarily do, to give up every other purſuit, and to bend their whole attention to objects of public utility in executing the laborious duties of a Police Magiſtrate ;—juſtice alſo requires that the remuneration ſhould be commenſurate to the ſacrifices which are made.

It is the intereſt of the community that it ſhould be ſo : for in the preſent extended ſtate of commerce and ſociety, where public wrongs have ſo much increaſed, and where appeals to Magiſtrates have alſo multiplied in ſo great a degree, no gratuitous ſyſtem can ever be expected to anſwer any purpoſe of real utility, where large bodies of people are collected together.

If

If the higher order of Magiſtrates receive the juſt reward due for that uſeful labour, beſtowed in the exerciſe of their functions in promoting the public good,—where is the impropriety of extending the ſame ſpecies of remuneration to inferior Magiſtrates, devoting their whole time and attention to the duties aſſigned them?

Under the various preſſures which have been detailed in the courſe of this Work, and which form ſo many prominent features of Police, requiring the conſtant and watchful eye of the Magiſtrate, it would ſeem to be clear to demonſtration that unleſs it becomes the ſole buſineſs and purſuit of the parties engaged in ſuch official duties, the public intereſt muſt ſuffer, and although imperceptible in their progreſs, crimes will increaſe and multiply, at a time when the comfort, happineſs, and ſecurity of ſociety require that they ſhould be diminiſhed.

The Magiſtrates of the city of London form a body, perhaps the moſt *reſpectable*, *able*, and *independent* of any in the world; but beſides the important and multiplied affairs of the Corporation—they have other avocations and engagements in buſineſs which conſtantly occupy their minds, and therefore it cannot reaſonably be expected that they ſhould forego their own important private intereſts, and beſtow

upon the buſineſs of the public that unremitting labour and attention, which the preſſure, ariſing from the great increaſe of criminal offences, ſeems to require. *

Nor is this at all neceſſary ſince it may be eaſy to procure a few able, active, and honourable men as ſtipendiary Magiſtrates, to whom this taſk might be aſſigned, and who would give *their whole attention to* the criminal department of the Police, aſſiſted by the Aldermen of the city as often as they could conveniently attend, on which occaſions they would neceſſarily preſide, as holding within their own diſtrict a higher rank in the Magiſtracy.

The difference in point of benefit to the community between a *mind* conſtantly occupied in objects of public utility, and that which is only occaſionally employed, is *great* beyond all poſſible calculation.

* The Author having had occaſion to repreſent to a late chief Magiſtrate of great worth and reſpectability, the enormous evil ariſing from *baſe coin*:—He very judiciouſly obſerved, that to do any good in ſhielding the public againſt this ſpecies of offence, *it would require the mind of a Magiſtrate to be given up to that object alone*.—This pointed and accurate remark elucidates, in an eminent degree, the neceſſity of ſtipendiary Magiſtrates in all large communities.

With

With the increaſe of thoſe bleſſings which are ſuppoſed to ariſe from a courſe of proſperity and wealth, there is generally an increaſe alſo of *preſſures* and *inconveniencies*, and hence it is that while an influx of riches preponderates in *one ſcale*, an augmentation of crimes acts as a counter-balance in the *other*:—thus requiring the conſtant and progreſſive application of ſuch antidotes and remedies as will preſerve the *good*, while the *evil* is diminiſhed or kept within bounds.

It would ſeem that the metropolis is now in that ſituation where the active and unremitting attention of ſtipendiary Magiſtrates have become neceſſary to promote a vigorous and energetic execution of the law, for the general protection of property, and the ſafety of individuals *.

* If this were the caſe, neither the Bank nor the avenues to every part of Cheapſide, &c. would be beſet with gangs of rogues and ſharpers, both men and women, who ſupport themſelves principally by the reſource which the vaſt amount of moving property, in money and portable goods, affords them in this part of the metropolis, † where it would appear, capital offenders are rarely detected, ſince at the Old Bailey, thoſe convicted in the courſe of a year, from the city and county, run in the proportion of about 1-7th part for London and 6-7th parts for Middleſex. ‡

† Vide Chap. V. page 101 and 102.

‡ Vide Table, Chap. XI. page 266.

The

The chief Magiſtrate of the firſt city in the world, cannot, in the nature of things, while the immenſe load of municipal affairs, joined to his own private concerns, preſſes conſtantly upon his mind, beſtow either time or attention in conſidering the caſes of criminal delinquents brought before him, or of following up informations, and deviſing plans neceſſary to detect offenders: and yet this detail of duty even from the paſs vagrant to the moſt atrocious villain is impoſed on him by ancient immemorial cuſtom and uſage, at the very moment when he is overpowered with other official buſineſs of great magnitude and importance, *which* can be tranſacted by no other perſon.

In this ſituation, preſſed and hurried with conſtant engagements, inſeparable from the functions and dignity attached to his high office, and the general government of the city:—A Lord Mayor is juſt beginning to underſtand the duties attached to the chief Magiſtracy, at the period when he muſt lay it down.

The other Magiſtrates of the city having had a preciſe line of duty anciently chalked out, when commerce and ſociety had made little progreſs, the ſame ſyſtem continues; nor would it be either reaſonable or proper to expect an augmentation of labour,

labour, or a greater proportion of time from Magiſtrates who ſerve the public gratuitouſly.

If in conſequence of the great accumulation of the ſtatutary laws requiring the attention of Magiſtrates in a vaſt number of inſtances, which did not occur a century ago;—if, from the encreaſe of crimes, as the natural conſequence of wealth, that duty which the public intereſt renders neceſſary to be performed, has ſo multiplied as to require the *whole attention* of Magiſtrates acting in great ſocieties; then it follows as a matter of courſe that ſtipendiary Juſtices have become indiſpenſibly neceſſary.

Where men of buſineſs, integrity, and talents, accept of ſuch ſituations, and execute the truſt repoſed in them with zeal and attention to the public intereſt, and with firm and independent minds, attached to no party, infinite advantage muſt reſult to the community from ſuch ſervices*.

* A Police Magiſtrate has nothing to do with the politics of the country, and he is incapable, and unworthy of the truſt repoſed in him, if he permits any bias, or influence, but that which is immediately connected with a correct and chaſte execution of the laws to take hold of his mind.—It is only by this line of conduct, that he can either render himſelf uſeful or reſpectable.

Ready

Ready on every occaſion at their ſittings in the morning and evening, to offer their advice or aſſiſtance to the labouring people, as well as all ranks of the community, who apply for it—to adjuſt their differences, and to protect them againſt wrongs and oppreſſions;——prepared alſo, as a matter of buſineſs, to receive and follow up informations where crimes have been committed, and never to loſe ſight of the object while it is practicable to attain it, infinite advantages would ariſe from the city Magiſtrates being thus aſſiſted, and from thoſe of the Police co-operating with a combined ſyſtem of energy, eſtabliſhed upon a plan ſimilar to their own with equal powers, and the ſame extent of juriſdiction.

It is a well-known fact, that ſince the eſtabliſhment of ſtipendiary Magiſtrates for Weſtminſter, and thoſe parts of Middleſex and Surry, contiguous to the city of London, infinite advantages have been experienced from the aſſiſtance and advice which have been afforded to the indigent, and the ignorant.

Many quarrels and little law-ſuits have been prevented, and innumerable differences immediately reconciled without any expence.

It is in this manner that Magiſtrates acting up to the

the ſpirit of their public duty, and beſtowing their *whole* attention upon whatever relates to that duty, confer thoſe obligations upon the community which no moderate remuneration can repay.

It is not like other public ſituations;—for the buſineſs is multifarious, and admits of no receſs or vacation.—It is *conſtant*, *laborious*, and without *intermiſſion**.

* In the month of October 1793, a reſpectable Committee, repreſenting the great body of the manufacturers in Spitalfields, waited on his Majeſty's principal Secretary of State for the home department, with an addreſs of thanks for the eſtabliſhment of the Police Syſtem, the ſubſtance of which is as follows:—

That it is the opinion of this Society, that great benefits have ariſen, with regard to the ſecurity of property, from the correct and regular manner in which the judicial buſineſs has been conducted by the Magiſtrates of Police, in conſequence of whoſe vigilance and attention, an effectual check has been given to a ſyſtem of depredation which heretofore occaſioned a loſs of many thouſands per annum to the Silk Manufacturers:——And it was Reſolved,——"That the thanks of this Society are due to the Right Honourable Henry Dundas, one of his Majeſty's principal Secretaries of State; and alſo to Mr. Burton, and the other Members of Parliament, who propoſed and ſupported the Police Syſtem, for the ſhare they had in the eſtabliſhment of a judicial tribunal, which has been found to extend to the Silk Manufacturers, many advantages in a juſt and proper execution of the laws which were not heretofore experienced."

Such

Such a ſyſtem ſtrengthened by good and appoſite laws, and extended over the whole of the metropolis, could not fail to be productive of infinite advantages to the community; and if to theſe laws ſhall be added a competent pecuniary fund, with thoſe other regulations, (calculated to give energy to the executive ſyſtem) which have been explained and elucidated under their reſpective heads, in the courſe of this work, little doubt need be entertained of thoſe expectations which the public had formed relative to the prevention of many crimes, which at preſent preſs hard upon ſociety, being in a great meaſure realized.

But theſe are not the only benefits which would reſult from the ſyſtem being carried into execution in its fulleſt extent:—for in that caſe *petty thefts* affecting all ranks who have any property to loſe, and deſtroying the moral principle, would be greatly abridged:——as would alſo the plunder from veſſels in the River Thames, as well as from the public arſenals, dock yards, and ſhips of war.

The more atrocious crimes of burglary and highway robbery would experience a ſevere check in the embarraſſments which would ariſe from the ſyſtem of rewards,—the reſtrictions propoſed to be laid upon

upon receivers of ſtolen goods, night coaches, and other regulations applicable to thoſe particular offences.

A large proportion of the *coiners*, *dealers*, and *utterers* of *baſe money*, feeling themſelves embarraſſed on all hands, and the riſk of detection as well as of puniſhment greatly extended and encreaſed, will probably abandon the buſineſs as hazardous and deſtructive.

The completion of the general ſyſtem will alſo either collaterally or immediately reach the tribe of cheats and ſwindlers, in ſuch a manner as to occaſion a conſiderable reduction of their number, by narrowing the ground and deſtroying the reſources by which they at preſent flouriſh.

The *evils* and the *remedies* being thus developed, a true eſtimate will be formed, not only of the magnitude of the former, but of the propriety and practicability of the latter.

The author is not ſo preſumptuous as to expect that in a matter of ſo much importance, thoſe ſuggeſtions which he has offered to the conſideration of the public, are either to be immediately approved

of, or adopted ſuddenly.—Some are obvious at firſt view *, while others require to be well conſidered and accurately examined.

The

* The obvious remedies which are here alluded to, relate to the following propoſition, to the immediate adoption of which, (in the opinion of a great and experienced criminal Lawyer), there does not ſeem to be any objection.—It is this.——

" That the diſtrict of each Public Office ſhall be clearly defined on the renewal of the preſent Act, and that the Dealers—hereafter mentioned, ſhall, under a certain penalty, regiſter their names and places of abode, (ſpecifying the number of the houſe, and the ſtreet,) at the Public Office, within the diſtrict of ſuch reſidence,—Namely——

1. Publicans licenſed to ſell ale or other liquors,
2. Pawn Brokers,
3. Watch Makers,
4. Buyers of gold and ſilver,
5. Refiners of gold and ſilver,
6. Working and other Silverſmiths,
7. Dealers in old and ſecond-hand furniture,
8. Brokers in ſecond-hand goods,
9. Dealers in old building materials,
10. Stable-keepers, and perſons letting horſes for hire,
11. Boilers of horſe-fleſh and other animals for profit.
12. Dealers in old and ſecond-hand naval ſtores, junk, and hand-ſtuff,
13. Dealers in rags and hand-ſtuff,
14. Dealers in ſecond-hand wearing apparel, bed and table linen,
15. Itinerant dealers in wearing apparel and other articles,

16. Dealers

The ſooner, however, that this is done, the more immediate will be the operation of that ſyſtem, what is to ſhield the inhabitants of the metropolis againſt thoſe depredations and dangers to which they have long been a prey.

If ſo great a good is effected, it muſt ariſe from a general impreſſion on the public mind, that it *is practicable*—and that it *is a right thing to be done.*

In

16. Dealers in *old iron*, braſs, copper, pewter, lead, and other metals.
17. Purchaſers of old iron, braſs, copper, pewter, lead, and other metals for manufacturing,
18. Founders and others keeping crucibles, or other veſſels for melting old metals,
19. Perſons being dealers in any of the above articles, keeping daught or truck carts,

For which, on paying *only One Shilling* to the Clerk, they ſhall receive a certificate each year, or as often as they ſhall change their reſidence, of which notice to be immediately given, and a new certificate applied for, at the office of the diſtrict to which ſuch dealers or others ſhall move.

And as often as any perſon ſo required to regiſter the ſaid name and place of abode, and occupation, ſhall have in his or her poſſeſſion, any goods, bank notes, money, horſes, cattle, dogs, or any other property; and after receiving a hand-bill, or any written notice of ſuch being ſtolen, with a deſcription thereof, and ſhall wilfully omit, or refuſe to make immediate diſco-

In that caſe the object will be attained—and thoſe bleſſings which ariſe from applicable and appoſite laws directed to the object of ſuppreſſing and preventing crimes, will be extended to the inhabitants of this great metropolis, under the advantages

very of the ſame to the Magiſtrates at the Public Office of the diſtrict, and of the perſon or perſons from whom they were purchaſed ſhall forfeit 5l.*; and alſo the value of whatever is concealed, which penalty ſhall be recovered on conviction by a warrant of diſtreſs, &c.

* A regulation to the ſame effect was introduced into the Police Bill of 1785—and has lately been adopted in the New Act for the city of Dublin, with this difference—that a ſuperintendant Magiſtrate is appointed to regulate this particular branch of Police, and the penalty, (which is 50l. and the value ofthe ſtolen property concealed), is recoverable by an action of debt upon the caſe, to be brought in the name of the ſuperintendant Magiſtrate, in any of His Majeſty's courts of record in Dublin.——Perhaps this may be thought an improvement on the ſyſtem propoſed.—At any rate its utility is obvious, for while it impoſes no particular hardſhip, and no expence on thoſe claſſes of individuals, through whoſe hands ſtolen property paſſes, it would put them upon their guard, and promote a greater degree of caution than at preſent prevails, thereby checking and embarraſſing the tranſactions of thieves, and fraudulent perſons;—But it would do more:—It would enable Magiſtrates to acquire an accurate knowledge of the number of theſe dealers in every part of the metropolis, from which infinite advantages would be derived to the public in the prevention of crimes, as well as with a view to further regulations, if they ſhall be thought neceſſary.—Several of theſe claſſes of

dealers

tages of that protection ‡‡ which will ariſe from a combined ſyſtem of police, executed with purity and

dealers make immenſe profits, and could well afford to pay a moderate licence duty, which would raiſe a ſum of money equal to all the expences of the Police Syſtem†.

† Vide Chap. II. Pages 54, 55, & 56.—Chap. III. Pages 64 & 65.—Chap. V. Page 104.

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‡‡ In mentioning what regards the protection of the metropolis, it is impoſſible to overlook thoſe eminent advantages which have ariſen from that excellent *inſtitution of the Light Horſe Volunteers, under the Command of Lieut. Colonel Herries.*

To this reſpectable corps of patriotic individuals, the inhabitants of the metropolis are under infinite obligations.

Regardleſs of their own *eaſe, convenience, intereſt,* or *perſonal ſafety,* the members of this public ſpirited aſſociation have ever ſtood forward in the hour of tumult and diſorder, gratuitouſly and at their own expence, for the protection of their fellow citizens, and for the preſervation of the public peace.

The aſſiſtance they have on every occaſion afforded the civil power, and the ſacrifices of valuable time which they have made at the riſque of health, and under circumſtances where they were compelled to forego that eaſe and comfort, which, from their opulence and rank in life, is attached to their particular ſituations—it is to be hoped will never be forgotten by a grateful public.

Their high reſpectability, joined to that ſpirit of independence and that firmneſs of mind, which they have, on every occaſion

and diſcretion, under the guidance of *an able, active*, and *indefatigable magiſtracy.*

caſion manifeſted, has been of infinite ſervice in repreſſing the tendency to tumult and diſorder that prevailed in 1794 and 1795, which, but for this powerful antidote, might have riſen to a very alarming height.

Nor have theſe patriotic gentlemen been merely ſatisfied with the various ſacrifices, for the public good, which have already been detailed—forgetting the expence of ſupporting a military eſtabliſhment unparalleled with regard to its *high ſtile of equipment;* when a preſſure aroſe awakening the feelings of humanity, they were among the firſt as a public body, independent of parochial ſubſcriptions, who opened their purſes for the relief of many of thoſe deluded individuals, whoſe miſguided phrenzy had occaſioned them ſo much trouble.—Such an inſtitution conferring ſo many benefits in ſhielding the metropolis from *danger*, and the deluded multitude againſt *puniſhment*, by the prevention of crimes, it is to be hoped, will ever retain that laudable ſpirit by which it is at preſent animated, and which has entailed ſo much honor upon all its members.

APPENDIX.

APPENDIX.

On the prevention of crimes:—to be effected only by a combination of the various ſuggeſtions offered in this Work.—A ſummary view of additional remedies propoſed with reſpect to public houſes—The Remedies contained in the Twelve preceding Chapters recapitulated, with ſome additions.—Additional ſuggeſtions alſo relative to Forgery—Wilful Fire—Bigamy—Bawdy-houſe Keepers—Profligate and Litigious Lodgers—Menial Servants, and Gleaners of Corn—General Reflections—The Concluſion.

IT is not by the adoption of any one remedy *ſingly applied*, but by a combination of the whole *legiſlative powers*, *regulations*, *eſtabliſhments*, and *agencies*, already ſuggeſted, that crimes are, in any degree, to be prevented.

After rendering the laws, applicable to this important object, as *appoſite* and *perfect* as human wiſdom can make them, the eſtabliſhment of an active agency in the perſons of an intelligent and zealous Magiſtracy, pervading every part of the metropolis,

metropolis, and dividing the labour in ſuch a manner as to give full ſcope to the different talents and powers of thoſe deſtined to put the laws in execution,—would ſeem to be the next ſtep calculated to enſure ſucceſs.

But this ſucceſs will neither be complete nor effectual, unleſs there is a ſufficient fund appropriated for the purpoſe of giving vigor and energy to the general ſyſtem.

With theſe combined advantages an infinite ſaving to the Nation would be experienced in uſeful labour, ariſing from the preſervation of the morals of the lower orders of the people, and the conſequent diminution of crimes.

The money thus diſburſed *á priori*, would be returned one hundred fold *á poſteriori*, in the reſult of the ſyſtem, by counteracting the principles of criminality, and thereby reducing the enormous expence of puniſhments.

Looking at the cauſes and effects of *profligacy* and *wickedneſs* as detailed in the firſt Chapter * the moſt prominent feature is to be traced to *public*

* Vide pages 37 to 49.

houſes,

houſes, where early and invincible habit has rendered thoſe receptacles the general rendezvous of the maſs of the labouring people of both ſexes, and lately of all ages.——

The proper regulation, therefore, of thoſe haunts of idleneſs and vice becomes *the ground work of the ſyſtem*, and deſerves infinite attention in the proper ſelection of perſons fit to be entruſted with licences;—for on this depends the preſervation of the morals of the people, in a greater degree than any one meaſure which has been propoſed in the courſe of this Work.

The chief ſource of this evil ariſes from the number of *immoral*, *profligate*, and *criminal* characters, who procure ſuch ſituations, and who groſsly abuſe the truſt repoſed in them;—and the cauſe is to be traced to the number of ſuperfluous houſes which have been inadvertently licenſed.

Of theſe there are ſeldom leſs than *one thouſand* who change maſters every year in the metropolis alone, and many of them three or four times over.

The reſult is, that while ſo many public houſes are conſtantly at market, worthleſs and profligate characters get into ſuch ſituations, and it will ever

be the caſe, while no limits are ſet to the number in each diſtrict, and while the preſent *mockery of ſecurity is in practice*, by permitting one publican to be bound for another in the ſmall penalty of ten pounds, for the performance of duties, the moſt important and ſacred which are known to exiſt in civil ſociety, ſince a breach of them ſaps the foundation of all morals *.

In the following ſummary view, therefore, of the ſuggeſtions which have been offered in this Treatiſe, for the purpoſe of improving the Police, and

* In a Tract, entitled *Obſervations and Facts relative to Public Houſes*, printed by J. Downes, No. 240, Strand, 1794,—The evils ariſing from ill regulated Public Houſes are explained at conſiderable length, and ſeveral remedies propoſed.—In this Publication the conſumption of *Ale* and *Porter* annually in the metropolis and its environs, is ſtated to be 1,132,147 Barrels = to 36,625,145 galls. making 158,500,580 pots at 3½d — — — £ 2,311,466 15 10

And by another calculation, the average conſumption of Gin and Compounds in Public Houſes, previous to the ſtoppage of the diſtillery, was about 3,000,000 of gallons 975,000 0 0

Total £ 3,286,466 15 10

If

and of preventing crimes, it may not be inexpedient to precede them by two propoſitions reſpecting public houſes:—

Chapter I. P. 37 to 49. I. That the number of Public Houſes aſſigned to each licenſing diviſion ſhall be limited by law, and no new houſes ſhall be licenſed unleſs there ſhall be an increaſe of inhabitants, by means of an acceſſion of buildings or manufactories in the neighbourhood, equal to 150 individuals, including thoſe employed in public works.

If a concluſion may be drawn from the apparent greater degree of ſobriety, which is manifeſted at preſent by the labouring people, and evinced by the number of quarrels and aſſaults being very conſiderably diminiſhed, and the preſſure, with reſpect to the means of living, apparently leſs than in the ſpring of 1795, *notwithſtanding no charities have been diſtributed*, and *bread is conſiderably higher*:—It would ſeem reaſonable to attribute this favourable change to the high price of Gin, which being in a great meaſure *inacceſſible*, the lower ranks have it now in their power to apply the money formerly ſpent in this way in the purchaſe of proviſions—perhaps to the extent of ſome *hundred thouſand pounds a year* in the metropolis alone! If this fact is aſſumed, it is impoſſible to reflect without great ſatisfaction on the actual gain which reſults to the Nation from the preſervation of the healths of perſons whoſe lives are ſhortened by the immoderate uſe of ardent ſpirits. In the labour of adults, the benefit to the Nation is at leaſt one hundred fold in length of life, and productive induſtry wherever ſobriety pervades the maſs of the people.

II. That no perſon ſhall be licenſed until he can produce a reſponſible houſe-keeper, who is not a publican, who will enter into recognizance along with him, for his good behaviour, in the ſum of *fifty pounds*, * which ſhall be forfeited if he permits *gaming*, *drunkenneſs*, or any other *irregularities* which ſhall be ſpecified in the recognizance, the form and obligations of which might be *modernized*, *altered* and *amended* to the great benefit of the public.

Chapter II. P. 49 to 56. The Second Chapter relates to the enormous extent of petty thefts, which, although extremely pernicious, from the vaſt number concerned in the perpetration of them, have ſeldom attracted notice.—The remedies are detailed in the 8th Chapter, pages 200 and 201.

Chapter III P. 56 to 66. The Third Chapter is confined to details relative to the plunder and pillage of goods and ſtores, which prevail in the River Thames, and on the Wharfs and Quays where goods are landed. In addition to the reme-

* At preſent the legal recognizance is only for 10l.—It has continued ſo for 233 years, ſince the reign of Edward VI. when the ſum then fixed on, according to the decreaſe of the value of money was much more than the 50l. now propoſed, is at the preſent time.

dies

dies which are propoſed in the 8th Chapter, pages 200 and 201, the following regulations are ſuggeſted :——

I. That inſpectors be appointed under the authority of Parliament to attend the diſcharge of all ſhips and veſſels in the River Thames, to lock the hatches and bulk-heads every evening, and to open them in the morning.—To ſearch all perſons going from every ſhip under diſcharge, and to give ſecurity for their fidelity.

II. That Officers of Police under the direction of the Magiſtrates of the public offices near the river, ſhould be authoriſed to go upon the river to detect thieves conveying goods clandeſtinely from veſſels ;—and to have one or more boats for that purpoſe.

III. That one or more Patroles, well armed, ſhould be ſtationed from ſun-ſet to ſun-riſe at every ſtair and landing-place upon the Thames, within certain limits, for the purpoſe of apprehending all perſons landing goods clandeſtinely.

IV. Perſons knowingly receiving any goods from a veſſel, after dark, into their houſes, to be ſubject to a penalty, unleſs ſuch perſons having houſes

or

or lodgings, ſhall cauſe the offenders to be brought before a Magiſtrate to be dealt with according to law.

Chapter IV. P. 66 to 84. } The Fourth Chapter is upon the ſubject of frauds, plunder, and pillage in the public arſenals, and in His Majeſty's ſhips of war. The propoſitions which are offered *as remedies, are theſe following* :——

I. That the regulations ſuggeſted in the 8th Chapter relative to dealers in old metals and ſtores, &c. ſhould be extended to all places within two miles of any dock-yard or public arſenal. Pages 200 and 201.

II. That a Police Office with two Magiſtrates and proper officers and boats for the purpoſe of detecting delinquents, ſhould be eſtabliſhed at *Woolwich*, *Chatham*, *Portſmouth*, and *Plymouth*, together with the other regulations and propoſitions under 8 different heads, ſtated in pages 80 and 81.

III. The eſtabliſhment of a ſyſtem of checks ſimilar to what prevails in the exciſe, Page 81.

IV. The

IV. The increaſe of the ſalaries of clerks, artificers, and ſervants. Page 82.

V. The abolition of fees, perquiſites, gratuities, and the ſale of clerkſhips. Pages 82 and 83.

VI. The abolition of the perquiſite of chips, upon an equivalent being allowed. Pages 77 and 78.

Chapter V. P. 85 to 105. } The Fifth Chapter relates to the criminal actions of the more atrocious offenders, who commit robberies, burglaries, and other daring offences.—*The remedies propoſed, are theſe following.*

I. Thoſe detailed under eight different heads at the cloſe of the 8th Chapter, pages 200, 201, 202, and 203.

II. A regiſter of lodging houſes, where the rent does not exceed 10s. a week.

III. Magiſtrates to be empowered to grant partial rewards for uſeful information, leading to the detection of offenders.

Chapter VI. P. 106 to 139. } The Sixth Chapter is wholly upon the ſubject of baſe money, the means uſed

uſed in *coining*, *fabricating*, and *uttering* it : and the *remedies propoſed for ſo great an evil*, *which are theſe following*.

I. Regulations under 14 different heads, propoſed to be enacted into a law, Pages 130 and 136.

II. A new coinage of ſilver money. Page 136.

III. A coinage of ſilver money to paſs for 3d. Page 137.

IV. Halfpence to be coined, ſo as the intrinſic and denominative value may be the ſame. P. 138.

Chapter VII. P. 142 to 182. The Seventh Chapter is upon the ſubject of *forgeries*, *frauds*, *gambling*, *cheating*, and *ſwindling*.—It details ſpecifically twenty-one different claſſes of fraudulent perſons, and ſuggeſts *the following remedies*.

I. That the powers granted to Magiſtrates by the 9th of Queen Anne, relative to the requiring ſecurity for good behaviour from gamblers living idly, and having no means of ſubſiſtence, ſhould extend alſo to cheats, ſharpers, and ſwindlers of every deſcription. Vide page 148.

II. That

II. That *pawnbrokers, hawkers and pedlars, diurnal auctioneers, &c.* might, with advantage to the public, be licenſed by Magiſtrates, and ſecurity given for good behaviour to the extent of a certain ſum. Vide pages 155, 156, 157, and 158.

III. That regulations be eſtabliſhed relative to gambling among menial ſervants, and particularly thoſe who deal in the lottery. V. page 160 to 166.

IV. That regulations be eſtabliſhed relative to the lower orders of the Jews, ſo as to direct their labour to the purpoſes of uſeful induſtry. Vide pages 166 to 169.

V. That regulations be eſtabliſhed more effectually to detect fraudulent weights and meaſures, to apply generally all over the country, and to be executed under the authority of Magiſtrates. Vide page 169 to 170.

VI. That the laws relative to cheating and defrauding, by falſe pretences, be rendered more comprehenſive and broad in the deſcription, ſo as to reach all the offences of this ſort, which prevail at preſent, and which have multiplied greatly of late years. Vide pages 170 to 172, and 182.

Chapter VIII. P. 183 to 207. The Eighth Chapter relates to the receivers of ſtolen goods, in which the evils ariſing from this claſs of criminal people, *as the nouriſhers and ſupporters of thieves* and *pilferers*, are fully explained, and the general remedies applicable to the prevention of every ſpecies of depredation are collected together, and exhibited under nine different heads, in pages 201, 202, 203, and 204.

Chapter IX. P. 208 to 241. The Ninth Chapter is upon the ſubject of detecting offenders, and explains by what means the preſent ſyſtem may be improved, and conſiderable advantages to the public obtained.

I. By a power to Magiſtrates to reward conſtables, watchmen, patroles, and all other perſons who ſhall apprehend delinquents, or be inſtrumental in doing ſo, by giving uſeful information. Vide page 221 to 225, and 232 to 235.

II. By extending the juriſdiction of the City Magiſtrates over the four adjacent counties of Middleſex, Surry, Kent, and Eſſex: and that of the Police Magiſtrates over the city,—the latter ſo far only as regards the detection of offenders. Vide pages 239 and 240.

The

Chapter X. P. 242 to 257. The Tenth Chapter relates to the trial of offenders, and the number of criminal and depraved perſons who are vomited back upon the public every year. The remedy ſuggeſted for improving this particular branch of Police, *is by the appointment of a Proſecutor for the Crown.* Vide pages 249, 253, 254, and 255.

Chapter XI. P. 258 to 312. The Eleventh Chapter is upon the ſubject of *puniſhments* and pardons.—The inconveniencies ariſing from the mode thus in practice is pointed out, and the *following ſuggeſtions offered.*

I. That while the puniſhment of death is reſorted to as ſeldom as the public intereſt will admit, it ſhould, when indiſpenſibly neceſſary, be made as *terrific* and *ſolemn* in the eyes of the public as poſſible. Page 268.

II. That pardons might, with great advantage to criminal juſtice, be granted only on certain conditions, ſtated in pages 270, 271, 272, and 273.

III. That convicts pardoned or ſentenced to tranſportation might be beneficially divided into four different claſſes :—— *viz.*

1. The country convicts, and thoſe leſs depraved, to be employed in *canals*, *highways*, and *other public works* in Great Britain. Page 306.

2. The more atrocious convicts, who are able to labour, but too far advanced in life, to be tranſported, to be employed in the Hulks, and in the public arſenals—or in raiſing ballaſt. Page 307.

3. The more hardened and depraved convicts, who belong to gangs, and have criminal connections in the metropolis, and who are in the vigor of life, to be ſent to New South Wales. Page 307.

4. The convicts, who, from bodily infirmity, are too feeble to be employed in the arſenals, to be confined in penitentiary houſes, and compelled to work at that ſpecies of labour which is ſuited to their ſituation. Page 307.

IV. That the national penitentiary houſes be completed, purſuant to the acts of the 19th and 34th of his preſent Majeſty. Pages 309 to 313.

Chapter XII. P. 313 to 346. } This Chapter explains the preſent ſtate of the Police of the metropolis under its various juriſdictions.—For the purpoſe of giving vigor and energy to the whole,—a ſuggeſtion

ſuggeſtion is offered relative *to the propriety of a ſmall number of ſtipendiary Magiſtrates being appointed to aſſiſt the Aldermen of the City of London, who ſhould bend their whole attention* to the Police of the metropolis at large, in conjunction with thoſe of the county.

In addition to the remedies which have been ſuggeſted in the different Chapters, it would eminently tend to the improvement of the general ſyſtem, if the following evils, which do not ſeem to be ſufficiently provided for by any of the exiſting laws, could be alſo remedied.

I. Perſons who ſhall forge the firm of any commercial houſe, and thereby obtain goods upon the credit of ſuch firm, are only puniſhable for a miſdemeanor.—The forgery in this caſe, although of a tendency, the moſt dangerous that can be conceived in a commercial Country, is not at preſent within the meaning of any exiſting ſtatute, a circumſtance that will ſcarcely be believed, when it is conſidered, how eaſy it is to obtain extenſive credit, (from the unbounded confidence which prevails in commercial tranſactions,) by uſing the firms or ſignatures of houſes of known reſpectability.

A caſe

A caſe in point occurred in 1796, where a perſon aſſuming the firm of a houſe of credit at Briſtol, ordered goods from Mancheſter, deſiring at the ſame time that the anſwer ſhould be ſent to Portſmouth, where one of the partners pretended to have gone on buſineſs.—By this device, two parcels of goods were obtained, and ſold immediately by the ſharpers at half the value, which being diſcovered by a Magiſtrate of Police, he was ſtopped in his career, and a number of unſuſpecting manufacturers, both in Mancheſter and Leeds, ſhielded againſt the operation of a very complicated and artful conſpiracy to defraud them of their property.——

It would certainly prove beneficial in the higheſt degree to place this offence, ſo dangerous in its nature, upon the ſame footing as other forgeries.

II. A perſon ſetting fire to his own houſe, with a view to defraud the inſurance office, is at preſent only conſidered as guilty of a miſdemeanor.—It would ſeem that an offence of ſuch an atrocious nature, (and of which there have been but too many inſtances of late,) might, with a view to the prevention of this enormous crime, be puniſhed with tranſportation.—If the fire extends to another

ther houſe, it is *Arſon*; but tranſactions of this ſort being carried on in a hidden way, where only circumſtantial evidence can be obtained, it would be difficult to find a jury to convict upon ſuch evidence, if a perſon's life were at ſtake, and therefore it would probably be more beneficial to ſociety, that the puniſhment did not extend to death, but to tranſportation for life.——

III. The crime of bigamy, although a very high offence, too often practiſed, and too ſeldom puniſhed, from the difficulties that occur in finding the preciſe evidence which the law requires, is only ſubject to a year's impriſonment.

When the moral principle has loſt all its power over the mind, this puniſhment is not ſufficient for the purpoſe of reſtraining many abandoned characters from practiſing the moſt atrocious acts of villainy upon unſuſpecting young females, who are frequently loaded with a numerous progeny before the fraud is diſcovered.

IV. Conſiderable inconveniences ariſe from the circuitous method which prevails at preſent, of puniſhing thoſe ſeducers of innocence, the keep-

ers

ers of bawdy-houſes.—At preſent they muſt be proceeded againſt by a bill of indictment—If a power was given to two or more Juſtices of the Peace, to enquire into theſe offences in a ſummary way, and on the conviction of ſuch bawds, to commit them for three to ſix months in the houſe of correction, according to the enormity of the offence, it would go very far towards ſuppreſſing, at leaſt, the evil of ſeduction*, to which the attention of the Magiſtrate would be more particularly directed.

V. A conſiderable inconvenience at preſent is experienced from the difficulty, as the laws now ſtand, of removing bad and profligate lodgers, who knowing the circuitous methods which may be reſorted to, a vaſt expence is often incurred, by means of perſons of litigious diſpoſitions, reſiſting the notice of the landlords, and on the moſt trifling and frivolous occaſions, engendered

* By the eſtabliſhment of a houſe of induſtry, where unfortunate proſtitutes could have eaſy acceſs, and have a part of their earnings, by being employed in making *ſlops, ſoldier's and ſeamen's ſhirts, binding ſhoes, finiſhing gloves,* and *other needle-work,* to which might be added, *picking cotton and knitting ſtockings*; a great act of humanity would be extended to many forlorn females, who arecompelled in many inſtances, from dire neceſſity, to continue a courſe of life their hearts abhor.—An eſtabliſhment of this ſort, with good management, might be made to pay itſelf.

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by the ill humour of the parties, conſiderable diſtreſs is often the reſult to both.——In caſes of ſmaller concern, where the rent does not exceed a few ſhillings a week, it would be an act of great humanity to empower Magiſtrates to decide in all ſuch caſes in a ſummary way:—it would check that ſpirit of litigation which is the deſtruction of the labouring people.

VI. The law has provided no remedy where menial ſervants are refractory and behave ill, by leaving their ſervice, or other miſdemeanors.—— Servants in all other branches of *labour* are puniſhable by Juſtices in a ſummary way, from which good effects have ariſen to the community; and the moſt able and experienced Magiſtrates have been of opinion, that the ſame benefit would ariſe from extending the ſame laws to *domeſtic ſervants*, who feeling no proper reſtraint, too often allow their ill-regulated paſſions to lead them into errors and improprieties, as well as crimes, againſt which their maſters would be ſhielded, and themſelves kept in their places, if puniſhments attached upon them in the ſame manner as upon other ſervants.

A regulation of this kind would greatly increaſe the number of good ſervants, and would do more

to prevent bad ones, than any of the numerous and expenſive ſchemes which philanthopic individuals have ſet on foot to reform this claſs of individuals.——

VII. If ſome regulations could be eſtabliſhed as a general law to prevent the gleaning corn, except for the benefit of the farmer, infinite advantages would ariſe in the preſervation of the honeſty of a great number of the labouring people in the country, whoſe morals are completely ruined in early life, through this medium alone.—Parents carry their children to the fields during harveſt, exhibiting an example too often, to infants, which reconciles them at maturer years, to habits ruinous to themſelves, and to ſociety.—It would, perhaps be better for every farmer to pay double wages to gleaners, than permit gleaning on their own account.—The michiefs ariſing from it muſt be obvious to every country Magiſtrate.—It firſt teaches the children of cottagers to become thieves in a little way, and afterwards ſerves as a cover for more extenſive depredations.—Almoſt every thief charged with ſtealing corn, pretends it was obtained by *gleaning*.—

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The adoption of theſe various remedies could not fail to have a very ſalutary effect in the prevention of crimes,—in the ſecurity of life and property,—and in the increaſe of that ſpecies of uſeful induſtry and ſobriety, which conſtitutes the ſtrength and happineſs of a nation.

In the effect of the ſyſtem, great humanity would be extended to labouring people, by removing theſe numerous temptations, which too often aſſail them, and induce many to become diſhoneſt, who would otherwiſe have remained innocent and uſeful.

In ſaying thus much, however, the author is not ſo preſumptuous, as to affirm that what he propoſes would *totally* aboliſh crimes.——This is a bleſſing rather to be deſired than expected, and however much he wiſhes to ſee ſuch an object attained, *reaſon* and *reflection* forbid him to indulge or cheriſh ſuch a chimera.—All that can be hoped for, is a very conſiderable diminution.

In travelling over ſo extenſive a field, where every ſtep is ſtained with marks of error and depravity, it is natural to ſuppoſe, that the contemplation of ſuch objects will deeply affect the mind

of the reader, and generate notions unfavourable to the human race.

Such impreſſions, however, muſt be cautiouſly cheriſhed, while it is recollected, that the number of delinquents is not only *ſmall* in proportion to the maſs of the people; but alſo, that in the progreſs of civil ſociety, it is an unavoidable evil, not imputable in ſo great a degree to the encreaſed or general depravity of the human character, as to the deficiency of the laws, in not advancing progreſſively in the means of prevention, in proportion to the introduction of luxury, and the additional temptations which the influx of wealth, and the intercourſe of commerce occaſions in every country.

Mankind have ever been the ſame in all ages—and while it ought never to be forgotten, that thoſe who have been exhibited, in this Treatiſe, as the moſt deformed part of the human race *were once innocent*, and many of them, perhaps, victims to the deficiency which has been ſhewn to pervade the ſyſtem, with reſpect to the prevention of crimes:—Charity claims a tear of pity for their forlorn condition, while the ſame principle of benevolence muſt impel every good man, wherever the remedies ſuggeſted in this work ſtrike the mind as being

being practicable and proper, to promote their early adoption; that while thoſe who are innocent, but ready to ruſh into the ſame gulph of miſery and crimes, may be arreſted in their progreſs, and ſaved to the community; the more depraved and criminal, who are already proſelyted, may be diſpoſed of in ſuch a manner as to ſhield the public againſt their reiterated acts of fraud, violence, and depredation.

FINIS.

Nota.—When the Author propoſed an alteration in the laws relative to the crime of *Bigamy*, page 363, he was not aware *at the moment*, that a worthy Alderman (W. Anderſon, Eſq.) had brought in a Bill laſt Seſſion of Parliament; and that the Act of the 35th of Geo. III. cap. 67, has, in ſome meaſure, remedied the evil, ſo far as regards the puniſhment.——The rule of evidence, however, as now eſtabliſhed, will ſtill operate as a bar to convictions, and it is worthy the conſideration of profeſſional men, whether an improvement could be made in this reſpect, ſo as to promote, in a greater degree, the ends of public juſtice.——